



Field Services Policy Manual



*Idaho Division of
Vocational Rehabilitation*

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IDAHO DIVISION OF VOCATIONAL REHABILITATION

FIELD SERVICES POLICY MANUAL (update to index 4/16/07)

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SECTION 1.0 - PURPOSE AND GENERAL REQUIREMENTS OF THE IDAHO VOCATIONAL REHABILITATION PARTICIPANT SERVICES PROGRAM

The Idaho Division of Vocational Rehabilitation (IDVR) program assists eligible persons with physical or mental disabilities to prepare for and achieve an employment outcome. "Employment outcome" means entering or retaining full-time, or if appropriate, part-time competitive employment in the integrated labor market to the greatest extent possible. It also means supported employment; or other types of employment, including self employment, consistent with self sustaining activity for wages or compensation consistent with an individual's strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice.

Competitive employment is work performed in the integrated labor market in which the individual is compensated at or above minimum wage, but not less than the customary wage and benefits paid for the same or similar work performed by individuals who do not have a disability.

The IDVR is a statewide program that develops and utilizes partnerships for effective service delivery. Partnerships vary, but include those programs authorized under the Rehabilitation Act such as Independent Living Centers and Tribal Vocational Rehabilitation Programs. Programs authorized under the Workforce Investment Act (WIA) are utilized to the maximum extent possible as allowed in Section .188 of the Act. It is understood that each program is unique and offers unique cultural and professional expertise. Cooperative Agreements with respective programs are encouraged and should be referred to for local understanding. Staff is encouraged to understand these agreements and provide information, referral and services as appropriate to the needs of the individuals they serve. Consult with the Regional Manager for access to pertinent cooperative agreements.

Vocational Rehabilitation is based upon an Individual Plan of Employment (IPE) that is oriented to the achievement of an employment outcome. Services provided to persons with disabilities must be documented as necessary to overcome related barriers to employment and must be provided as cost effectively as possible.

The Division strives to maintain a highly accountable program to all customers. Division employees and individuals with disabilities are accountable for their actions and will be held to the highest standard of responsibility.

IDVR provides, as appropriate to the vocational rehabilitation needs of each eligible individual, goods or services necessary to enable the individual to achieve an employment outcome.

EXCEPTION TO POLICY

Exceptions to policy require the approval of the VR Manager and the notification and



consultation of the Chief of Field Services. VR Counselors are delegated substantial decision and purchasing authority based upon the caps outlined in the Payment Policy. Purchases in excess of delegated authority are reviewed by the Regional Manager and approved by the Chief of Field Services or designee (Field Services Manager).

1.1 Legal Citations

The IDVR program is operated in compliance with the federal Rehabilitation Act of 1973, as amended. The legal authorities for the policies contained in the Vocational Rehabilitation Services Policy Manual are: Title 34 CFR Part 361, issued January 17th, 2001 in the Federal Register implementing the Rehabilitation Act Amendments of 1998; and Title 67, Chapter 53 of the Idaho Code related to provisional appointments in state government for those with severe disabilities.

1.2 Program Requirements

Eligibility is determined without regard to sex, race, creed, age, color, national origin or type of disability.

There is no residency requirement. The individual must be living in the State of Idaho and legally able to work in the United States.

IDVR will establish and maintain a record of services for each applicant for, and recipient of, vocational rehabilitation services, which includes data necessary to comply with VR agency and Federal Rehabilitation Service Administration (RSA) requirements.

In the purchase of goods or services for persons with disabilities, IDVR complies with its procurement policy, Purchase of Services and Supplies for participant use in the Vocational Rehabilitation Program.

Case service expenditures require written authorization prior to the initiation of the service or the purchase of any equipment. Oral authorizations are permitted in emergency situations, but must be confirmed promptly in writing and forwarded to the provider. Authorizations are to be issued within three (3) days of the beginning date of service.

Goods and services will be provided subject to the availability of funds.

When appropriate, counselors shall refer individuals with disabilities to receive services from other agencies and organizations.

Each applicant or eligible individual being provided vocational rehabilitation services shall be informed of the procedure for requesting a review and a determination of agency action concerning the furnishing or denial of services, including the names and addresses of individuals with whom appeals may be filed and the availability of the



Client Assistance Program (CAP).

1.3 Provider Standards

IDVR requires service providers:

To be licensed by the Division of Occupational Licensing, a professional certifying body, The Division of Post-Secondary Education.

OR

IDVR requires service providers that offer vocational rehabilitation services to apply to be an approved service provider with the Division. Service provider's agreements may be secured by contacting the Divisional Regional Manager in the area.

OR

IDVR Counselors may occasionally approve the purchase of services from non-license providers such as, educational tutoring, foreign language interpreters, or other services to support the rehabilitation needs of an individual.

1.4 Selection of Service Providers

Providers are selected by a combination of participant choice and State procurement rules. The Service Provider Agreement states the provider's rate. Division counselors will assist the individual in acquiring information necessary to make an informed choice regarding the selection of the service provider. *The lowest cost qualified provider that meets the satisfaction of the individual is normally selected.*

1.4.1 Definitions:

(Reference Federal Register / Vol. 66, No. 11 / Wednesday, January 17, 2001 / Rules and Regulations)

- a. **Applicant** means an individual who submits an application for vocational rehabilitation services in accordance with Sec. 361.41(b)(2). (Authority: Section 12(c) of the Act; 29 U.S.C. 709(c))
- b. **Assessment for determining eligibility and vocational rehabilitation needs** means, as appropriate in each case, (i)(A) A review of existing data-- (1) To determine if an individual is eligible for vocational rehabilitation services; and (2) To assign priority for an Order of Selection described in Sec. 361.36 in the States that use an Order of Selection; and (B) To the extent necessary, the provision of appropriate assessment activities to obtain necessary additional data to make the eligibility determination and assignment; (ii) To the extent additional data are necessary to make a determination of the employment outcomes and the nature and scope of vocational rehabilitation services to be included in the individualized plan for employment of an eligible individual, a comprehensive assessment to

determine the unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice, including the need for supported employment, of the eligible individual. This comprehensive assessment -- (A) Is limited to information that is necessary to identify the rehabilitation needs of the individual and to develop the individualized plan of employment of the eligible individual; (B) Uses as a primary source of information, to the maximum extent possible and appropriate and in accordance with confidentiality requirements--

- (1) Existing information obtained for the purposes of determining the eligibility of the individual and assigning priority for an Order of Selection described in Sec. 361.36 for the individual; and
 - (2) Information that can be provided by the individual and, if appropriate, by the family of the individual; (C) May include, to the degree needed to make such a determination, an assessment of the personality, interests, interpersonal skills, intelligence and related functional capacities, educational achievements, work experience, vocational aptitudes, personal and social adjustments, and employment opportunities of the individual and the medical, psychiatric, psychological, and other pertinent vocational, educational, cultural, social, recreational, and environmental factors that affect the employment and rehabilitation needs of the individual; and (D) May include, to the degree needed, an appraisal of the patterns of work behavior of the individual and services needed for the individual to acquire occupational skills and to develop work attitudes, work habits, work tolerance, and social and behavior patterns necessary for successful job performance, including the use of work in real job situations to assess and develop the capacities of the individual to perform adequately in a work environment; (iii) Referral, for the provision of rehabilitation technology services to the individual, to assess and develop the capacities of the individual to perform in a work environment; and (iv) An exploration of the individual's abilities, capabilities, and capacity to perform in work situations, which must be assessed periodically during trial work experiences, including experiences in which the individual is provided appropriate supports and training. (Authority: Section 7(2) of the Act; 29 U.S.C. 705(2))
- c. **Assistive technology device** means any item, piece of equipment, or product system, whether acquired commercially off the shelf, modified, or customized, that is used to increase, maintain, or improve the functional capabilities of an individual with a disability. (Authority: Section 7(3) of the Act; 29 U.S.C. 705(3))
- d. **Assistive technology service** means any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device, including-- (i) The evaluation of the needs of an individual with a disability, including a functional evaluation of the individual in his or her customary environment; (ii) Purchasing, leasing, or otherwise providing for the acquisition by an individual with a disability of an assistive technology device; (iii) Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices; (iv) Coordinating and using

other therapies, interventions, or services with assistive technology devices, such as those associated with existing education and rehabilitation plans and programs; (v) Training or technical assistance for an individual with a disability or, if appropriate, the family members, guardians, advocates, or authorized representatives of the individual; and (vi) Training or technical assistance for professionals (including individuals providing education and rehabilitation services), employers, or others who provide services to, employ, or are otherwise substantially involved in the major life functions of individuals with disabilities, to the extent that training or technical assistance is necessary to the achievement of an employment outcome by an individual with a disability. (Authority: Sections 7(4) and 12(c) of the Act; 29 U.S.C. 705(4) and 709(c))

- e. **Community rehabilitation program.** (i) Community rehabilitation program means a program that provides directly or facilitates the provision of one or more of the following vocational rehabilitation services to individuals with disabilities to enable those individuals to maximize their opportunities for employment, including career advancement: (A) Medical, psychiatric, psychological, social, and vocational services that are provided under one management (B) Testing, fitting, or training in the use of prosthetic and orthotic devices (C) Recreational therapy. (D) Physical and occupational therapy. (E) Speech, language, and hearing therapy (F) Psychiatric, psychological, and social services, including positive behavior management. (G) Assessment for determining eligibility and vocational rehabilitation needs. (H) Rehabilitation technology (I) Job development, placement, and retention services. (J) Evaluation or control of specific disabilities (K) Orientation and mobility services for individuals who are blind. (L) Extended employment. (M) Psychosocial rehabilitation services. (N) Supported employment services and extended services. (O) Services to family members if necessary to enable the applicant or eligible individual to achieve an employment outcome. (P) Personal assistance services. (Q) Services similar to the services described in paragraphs (A) through (P) of this definition. (ii) For the purposes of this definition, the word program means an agency, organization, or institution, or unit of an agency, organization, or institution, that provides directly or facilitates the provision of vocational rehabilitation services as one of its major functions.
- f. **Comparable services and benefits means--** (i) Services and benefits that are-- (A) Provided or paid for, in whole or in part, by other Federal, State, or local public agencies, by health insurance, or by employee benefits; (B) Available to the individual at the time needed to ensure the progress of the individual toward achieving the employment outcome in the individual's individualized plan for employment in accordance with Sec. 361.53; and (C) Commensurate to the services that the individual would otherwise receive from the designated State vocational rehabilitation agency. (ii) For the purposes of this definition, comparable benefits do not include awards and scholarships based on merit. (Authority: Sections 12(c) and 101(a)(8) of the Act; 29 U.S.C. 709(c) and 721(a)(8))
- g. **Competitive employment** means work-- (i) In the competitive labor market that

is performed on a full-time or part-time basis in an integrated setting; and (ii) For which an individual is compensated at or above the minimum wage, but not less than the customary wage and level of benefits paid by the employer for the same or similar work performed by individuals who are not disabled. (Authority: Sections 7(11) and 12(c) of the Act; 29 U.S.C. 705(11) and 709(c))

- h. **Employment outcome** means, with respect to an individual, entering or retaining full-time or, if appropriate, part-time competitive employment, as defined in Sec. 361.5(b)(11), in the integrated labor market, supported employment, or any other type of employment in an integrated setting, including self-employment, telecommuting, or business ownership, that is consistent with an individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. (Authority: Sections 7(11), 12(c), 100(a)(2), and 102(b)(3)(A) of the Act; 29 U.S.C. 705(11), 709(c), 720(a)(2), and 722(b)(3)(A))
- i. **Extended services** means ongoing support services and other appropriate services that are needed to support and maintain an individual with a most significant disability in supported employment and that are provided by a State agency, a private nonprofit organization, employer, or any other appropriate resource, from funds other than funds received under this part and 34 CFR part 363 after an individual with a most significant disability has made the transition from support provided by the designated State unit. (Authority: Sections 7(13) and 623 of the Act; 29 U.S.C. 705(13) and 795i)
- j. **Family member**, for purposes of receiving vocational rehabilitation services in accordance with Sec. 361.48(i), means an individual-- (i) Who either-- (A) Is a relative or guardian of an applicant or eligible individual; or (B) Lives in the same household as an applicant or eligible individual; (ii) Who has a substantial interest in the well-being of that individual; and (iii) Whose receipt of vocational rehabilitation services is necessary to enable the applicant or eligible individual to achieve an employment outcome. (Authority: Sections 12(c) and 103(a)(17) of the Act; 29 U.S.C. 709(c) and 723(a)(17))
- k. **Homemaker** is recognized as non-competitive gainful work. In order for a household manager to be considered an appropriate vocational objective, the individual must perform a majority of certain work activities within a family unit. These include, but are not limited to family financial management, cleaning, meal preparation, laundry, mending, childcare and other household activities. The performance of these responsibilities must positively impact the family's economic circumstances. For example, by rehabilitating an individual as a household manager, another family member is enabled to go to work. By rehabilitating a household manager, economic advantage occurs because the family will not have to pay someone else to perform household management tasks.
- l. **Indian tribe** means any Federal or State Indian tribe, band, rancheria, pueblo, colony, or community, including any Idaho native village or regional village corporation. (Authority: Section 7(19)(B) of the Act; 29 U.S.C. 705(19)(B))

- m. **Individual with a disability**, except as provided in Sec. 361.5(b)(29), means an individual-- (i) Who has a physical or mental impairment; (ii) Whose impairment constitutes or results in a substantial impediment to employment; and (iii) Who can benefit in terms of an employment outcome from the provision of vocational rehabilitation services. (Authority: Section 7(20)(A) of the Act; 29 U.S.C. 705(20)(A))
- n. **Individual's representative** means any representative chosen by an applicant or eligible individual, as appropriate, including a parent, guardian, other family member, or advocate, unless a representative has been appointed by a court to represent the individual, in which case the court-appointed representative is the individual's representative. (Authority: Sections 7(22) and 12(c) of the Act; 29 U.S.C. 705(22) and 709(c))
- o. **Integrated setting**,-- (i) With respect to the provision of services, means a setting typically found in the community in which applicants or eligible individuals interact with non-disabled individuals other than non-disabled individuals who are providing services to those applicants or eligible individuals; (ii) With respect to an employment outcome, means a setting typically found in the community in which applicants or eligible individuals interact with non-disabled individuals, other than non-disabled individuals who are providing services to those applicants or eligible individuals, to the same extent that non-disabled individuals in comparable positions interact with other persons. (Authority: Section 12(c) of the Act; 29 U.S.C. 709(c))
- p. **Maintenance** means monetary support provided to an individual for expenses, such as food, shelter, and clothing, that are in excess of the normal expenses of the individual and that are necessitated by the individual's participation in an assessment for determining eligibility and vocational rehabilitation needs or the individual's receipt of vocational rehabilitation services under an individualized plan for employment. (Authority: Sections 12(c) and 103(a)(7) of the Act; 29 U.S.C. 709(c) and 723(a)(7))
- q. **Ongoing support services**, as used in the definition of "Supported employment" (i) Means services that are-- (A) Needed to support and maintain an individual with a most significant disability in supported employment; (B) Identified based on a determination by the designated State unit of the individual's need as specified in an individualized plan for employment; and (C) Furnished by the designated State unit from the time of job placement until transition to extended services, unless post-employment services are provided following transition, and thereafter by one or more extended services providers throughout the individual's term of employment in a particular job placement or multiple placements if those placements are being provided under a program of transitional employment; (ii) Must include an assessment of employment stability and provision of specific services or the coordination of services at or away from the worksite that are needed to maintain stability based on-- (A) At a minimum, *twice-monthly monitoring at the worksite* of each individual in supported

employment; or (B) If under specific circumstances, especially at the request of the individual, the individualized plan for employment provides for *off- site monitoring, twice monthly meetings with the individual*; (iii) Consist of-- (A) Any particularized assessment supplementary to the comprehensive assessment of rehabilitation needs described in paragraph (b)(6)(ii) of this section; (B) The provision of skilled job trainers who accompany the individual for intensive job skill training at the work site; (C) Job development and training; (D) Social skills training; (E) Regular observation or supervision of the individual; (F) Follow-up services including regular contact with the employers, the individuals, the parents, family members, guardians, advocates or authorized representatives of the individuals, and other suitable professional and informed advisors, in order to reinforce and stabilize the job placement; (G) Facilitation of natural supports at the worksite; (H) Any other service identified in the scope of vocational rehabilitation services for individuals, described in Sec. 361.48; or (I) Any service similar to the foregoing services. (Authority: Sections 7(27) and 12(c) of the Act; 29 U.S.C. 705(27) and 709(c))

- s. **Personal assistance services** means a range of services provided by one or more persons designed to assist an individual with a disability to perform daily living activities on or off the job that the individual would typically perform without assistance if the individual did not have a disability. The services must be designed to increase the individual's control in life and ability to perform everyday activities on or off the job. The services must be necessary to the achievement of an employment outcome and may be provided only while the individual is receiving other vocational rehabilitation services. The services may include training in managing, supervising, and directing personal assistance services. (Authority: Sections 7(28), 102(b)(3)(B)(i)(I), and 103(a)(9) of the Act; 29 U.S.C. 705(28), 722(b)(3)(B)(i)(I), and 723(a)(9)) [[Page 272]]
- t. **Physical and mental restoration services** means-- (i) Corrective surgery or therapeutic treatment that is likely, within a reasonable period of time, to correct or modify substantially a stable or slowly progressive physical or mental impairment that constitutes a substantial impediment to employment; (ii) Diagnosis of and treatment for mental or emotional disorders by qualified personnel in accordance with State licensure laws; (iii) Dentistry; (iv) Nursing services; (v) Necessary hospitalization (either inpatient or outpatient care) in connection with surgery or treatment and clinic services; (vi) Drugs and supplies; (vii) Prosthetic and orthotic devices; (viii) Eyeglasses and visual services, including visual training, and the examination and services necessary for the prescription and provision of eyeglasses, contact lenses, microscopic lenses, telescopic lenses, and other special visual aids prescribed by personnel that are qualified in accordance with State licensure laws; (ix) Podiatry; (x) Physical therapy; (xi) Occupational therapy; (xii) Speech or hearing therapy; (xiii) Mental health services; (xiv) Treatment of either acute or chronic medical complications and emergencies that are associated with or arise out of the provision of physical and mental restoration services, or that are inherent in the condition under treatment; (xv) Special services for the treatment of individuals with end- stage renal disease, including transplantation, dialysis, artificial kidneys, and supplies;

and (xvi) Other medical or medically related rehabilitation services. (Authority: Sections 12(c) and 103(a)(6) of the Act; 29 U.S.C. 709(c) and 723(a)(6))

- u. ***Physical or mental impairment*** means-- (i) Any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological, musculo-skeletal, special sense organs, respiratory (including speech organs), cardiovascular, reproductive, digestive, genitourinary, hemic and lymphatic, skin, and endocrine; or (ii) Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. (Authority: Sections 7(20)(A) and 12(c) of the Act; 29 U.S.C. 705(20)(A) and 709(c))
- v. ***Post-employment services*** means one or more of the services identified in Section 361.48 that are provided subsequent to the achievement of an employment outcome and that are necessary for an individual to maintain, regain, or advance in employment, consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. (Authority: Sections 12(c) and 103(a)(18) of the Act; 29 U.S.C. 709(c) and 723(a)(18)) Note to paragraph (b)(42): Post-employment services are intended to ensure that the employment outcome remains consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice. These services are available to meet rehabilitation needs that do not require a complex and comprehensive provision of services and, thus, should be limited in scope and duration. If more comprehensive services are required, then a new rehabilitation effort should be considered. Post-employment services are to be provided under an amended individualized plan for employment; thus, a re-determination of eligibility is not required. The provision of post-employment services is subject to the same requirements in this part as the provision of any other vocational rehabilitation service. Post-employment services are available to assist an individual to maintain employment, e.g., the individual's employment is jeopardized because of conflicts with supervisors or co-workers, and the individual needs mental health services and counseling to maintain the employment; to regain employment, e.g., the individual's job is eliminated through reorganization and new placement services are needed; and to advance in employment, e.g., the employment is no longer consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.
- w. ***Rehabilitation engineering*** means the systematic application of engineering sciences to design, develop, adapt, test, evaluate, apply, and distribute technological solutions to problems confronted by individuals with disabilities in functional areas, such as mobility, communications, hearing, vision, and cognition, and in activities associated with employment, independent living, education, and integration into the community. (Authority: Section 7(12)(c) of the Act; 29 U.S.C. 709(c))
- x. ***Rehabilitation technology*** means the systematic application of technologies, engineering methodologies, or scientific principles to meet the needs of, and

address the barriers confronted by, individuals with disabilities in areas that include education, rehabilitation, employment, transportation, independent living, and recreation. The term includes rehabilitation engineering, assistive technology devices, and assistive technology services. (Authority: Section 7(30) of the Act; 29 U.S.C. 705(30))

- y. **Substantial impediment to employment** means that a physical or mental impairment (in light of attendant medical, psychological, vocational, educational, communication, and other related factors) hinders an individual from preparing for, entering into, engaging in, or retaining employment consistent with the individual's abilities and capabilities. (Authority: Sections 7(20)(A) and 12(c) of the Act; 29 U.S.C. 705(20)(A) and 709(c))
- aa. **Supported employment means--** (i) Competitive employment in an integrated setting, or employment in integrated work settings in which individuals are working toward competitive employment, consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individuals with ongoing support services for individuals with the most significant disabilities-- (A) For whom competitive employment has not traditionally occurred or for whom competitive employment has been interrupted or intermittent as a result of a significant disability; and (B) Who, because of the nature and severity of their disabilities, need intensive supported employment services from the designated State unit and extended services after transition as described in paragraph (b)(20) of this section to perform this work; or (ii) Transitional employment, as defined in paragraph (b)(54) of this section, for individuals with the most significant disabilities due to mental illness. (Authority: Section 7(35) of the Act; 29 U.S.C. 705(35))
- bb. **Supported employment services** means ongoing support services and other appropriate services needed to support and maintain an individual with a most significant disability in supported employment that are provided by the designated State unit-- (i) For a period of time not to exceed 18 months, unless under special circumstances the eligible individual and the rehabilitation counselor or coordinator jointly agree to extend the time to achieve the employment outcome identified in the individualized plan for employment; and (ii) Following transition, as post-employment services that are unavailable from an extended services provider and that are necessary to maintain or regain the job placement or advance in employment. (Authority: Sections 7(36) and 12(c) of the Act; 29 U.S.C. 705(36) and 709(c))
- cc. **Transition services** means a coordinated set of activities for a student designed within an outcome-oriented process that promotes movement from school to post-school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation. The coordinated set of activities must be based upon the individual student's needs, taking into account the student's preferences and interests, and must include instruction, community experiences, the development of employment and other

post-school adult living objectives, and, if appropriate, acquisition of daily living skills and functional vocational evaluation. Transition services must promote or facilitate the achievement of the employment outcome identified in the student's individualized plan for employment. (Authority: Section 7(37) and 103(a)(15) of the Act; 29 U.S.C. 705(37) and 723(a)(15))

- dd. **Transitional employment**, as used in the definition of "Supported employment," means a series of temporary job placements in competitive work in integrated settings with ongoing support services for individuals with the most significant disabilities due to mental illness. In transitional employment, the provision of ongoing support services must include continuing sequential job placements until job permanency is achieved. (Authority: Sections 7(35)(B) and 12(c) of the Act; 29 U.S.C. 705(35)(B) and 709(c))
- ee. **Transportation** means travel and related expenses that are necessary to enable an applicant or eligible individual to participate in a vocational rehabilitation service, including expenses for training in the use of public transportation vehicles and systems. (Authority: 103(a)(8) of the Act; 29 U.S.C. 723(a)(8)) (i) Examples: The following are examples of expenses that would meet the definition of transportation. The examples are purely illustrative, do not address all possible circumstances, and are not intended to substitute for individual counselor judgment. Example 1: Travel and related expenses for a personal care attendant or aide if the services of that person are necessary to enable the applicant or eligible individual to travel to participate in any vocational rehabilitation service. Example 2: Relocation expenses incurred by an eligible individual in connection with a job placement that is a significant distance from the eligible individual's current residence.
- ff. **Unpaid Family Worker** is recognized as non-competitive gainful work. In order for unpaid family work to be considered an appropriate vocational objective, the individual must work in a family business or on a family farm, which is operated by one or more members of the participant's family.

SECTION 2.0 - ETHICS

- A. All Idaho Division of Vocational Rehabilitation (IDVR) employees must adhere to the Idaho Ethics in Government Manual:
<http://www2.state.id.us/ag/manuals/index.html>
- B. IDVR ascribes to, and requires all Vocational Rehabilitation Counselors and Field Service Staff to follow the Code of Professional Ethics for Rehabilitation Counselors accepted by the Commission of Rehabilitation Counselor Certification. (CRCC).
<http://www.crccertification.com>
 - 1. The Non-Professional Relationships with Participants, code A.6b. states:

“Rehabilitation counselors will not accept as participants, superiors or subordinates with whom they have administrative, supervisory, or evaluative relationships.”

Prior to, or at the time of appointment to employment at IDVR of a participant, a counselor may be assigned outside of the home office of the employee in order to ensure that there is no conflict of interest between the employee and the counselor who assisted with the vocational rehabilitation of that particular individual during the placement and follow-along period.

Internships, volunteers or trial work experiences of individuals served by IDVR will be conducted outside the home office of the assigned counselor.
- C. Service Providers of the Division are expected to adhere to the same ethical principles as Division staff in addition to any professional code of ethics that may apply to their own profession.

SECTION 3.0 PROTECTION, USE, AND RELEASE OF PERSONAL INFORMATION

3.1 Confidentiality

All information acquired by Idaho Division of Vocational Rehabilitation (IDVR) must be used only for purposes directly connected with the administration of the vocational rehabilitation program. As a general rule, information containing personal information may not be shared with advisory or other bodies that do not have official responsibility for administration of the program, except as provided in this policy. Use, release and obtaining of personal information by IDVR shall conform to applicable state law and rules, and applicable federal law and regulations.

Requests for information under the Idaho public records laws should be referred to the deputy attorney general assigned to the agency.

For purposes of this policy, informed written consent shall:

- A. Be explained in language that the individual or their representative understands;
- B. Be dated, and specify the length of effect;
- C. Be specific in designating IDVR as the agency authorized to use, disclose or receive information;
- D. Be specifically designated to the parties to whom the information may be released; and
- E. Specifically designate the parties to whom the information may be released; and
- F. Be specific as to the purpose(s) for which the information may be used.

3.2 Release of Personal Information to Individuals with Disabilities, their Representative or Attorney

If requested in writing by an individual participant of IDVR, and upon informed written consent by the individual and/or his or her representative, all information in such individual's case record that pertains to such individual shall be made available in a timely manner to that individual, except:

- 3.2.1** Medical, psychological or other information that IDVR believes may be harmful to the individual. That information may be provided through a chosen representative, physician, licensed psychologist. *That information*



may also be provided directly to the individual only after the VR counselor or professional vendor who authored the information explains in detail the sensitive nature of such information and how that information can be misinterpreted or misunderstood by the individual or associates who may receive access to it.

- 3.2.2** Information obtained from outside IDVR may be released only under the conditions established by the outside agency, organization or provider or mandated for them by federal or state law.
- 3.2.3** An individual who believes that information in the record of services is inaccurate or misleading may request that IDVR amend the information. If the information is not amended, the individual may request that his/her own amending statement be inserted into the record of services.
- 3.2.4** IDVR will respond to a request made under this section within ten (10) working days after receipt of a written request. One copy of the case record will be made for the individual at no charge. Subsequent copies will be provided at the flat fee of \$25.

3.3 Release to Other Agencies or Organizations

If information requested has been obtained from another agency, organization or professional, it will be released only under conditions established by that agency, organization or professional.

- 3.3.1** IDVR may release personal information without informed written consent of the individual in order to protect the individual or others when the individual poses a threat to his/her safety or the safety of others.

3.4 Release in Response to Investigations in Connection with Law Enforcement

IDVR shall release personal information in response to investigations in connection with law enforcement, fraud, or abuse, unless expressly prohibited by Federal or State laws or regulations, and in response to a court order.

3.5 Release for Audit, Evaluation or Research

At the discretion of the Administrator, personal information may be released to an organization, agency, or individual engaged in audit, evaluation or research only for purposes directly connected with the administration of the vocational rehabilitation program, or for purposes which would significantly improve the quality of life for



individuals with disabilities, and only if the organization, agency or individual assures that:

- A. The information will be used only for the purposes for which it is being provided;
- B. The information will be released only to individuals officially connected with the audit, evaluation or research;
- C. The information will not be released to the involved individual;
- D. The information will be managed in a manner to safeguard confidentiality and,
- E. The final product will not reveal any personal identifying information without the informed written consent of the involved individual, and/or his/her representative.

3.6 Subpoena for Release of Information to the Courts, Other Judicial Bodies, Worker's Compensation and Law Enforcement Agencies

A subpoena issued to IDVR for information relating to a participant of IDVR must immediately be referred to the Chief of Field Services who will subsequently refer the document to the deputy attorney general assigned to the agency.

3.7 Social Security Information

Confidentiality of SSA information is covered under Section 11.06 of the Social Security Act and may be disclosed only as prescribed by regulations. The Act permits disclosure of all information about a claimant to State VR agencies. State VR agencies routinely obtain information, including entitled and medical information, from SSA records. Medical information may be obtained without the claimant's consent; however, State VR agencies may not permit access to such information, release it further (this includes other state agencies), or testify concerning it for any other purpose than the rehabilitation of the Social Security Disability beneficiary claimant. To obtain information from Disability Determination Services, a release form must be used.

SECTION 4.0 APPEALS PROCESS

The IDVR counselor shall notify and provide written information to all applicants and eligible individuals regarding:

- A. Their right to appeal determinations made by IDVR personnel, which affect the provision of rehabilitation services;
- B. Their right to request mediation;
- C. The names and addresses of individuals for whom requests for mediation or appeals may be filed;
- D. The manner in which a mediator or hearing officer may be selected;
- E. Availability of assistance from the Client Assistance Program (CAP).
- F. If the agency is following an order of selection, their priority category under determination of severe disability.

Timing of such notification shall be provided by the IDVR counselor:

- A. At the time an individual applies for rehabilitation services;
- B. At the time the Individualized Plan for Employment (IPE) is developed;
- C. At the time the individual is assigned to a category in the State's order of selection, if applicable; and
- D. Upon reduction, suspension, or cessation of rehabilitation services for the individual.

Whenever possible, IDVR will attempt to resolve conflicts informally or through the Informal Administrative Review process. IDVR will not pay for an individual's legal services

IDVR shall make disability related accommodations to assist individuals in the conduct of the appeals process.

4.1 Continuation of Services Pending Completion of the Hearing

Pending a final determination of an Informal Review or hearing, IDVR may not suspend, reduce, or terminate services being provided under an IPE, unless the services were obtained through misrepresentation, fraud or collusion or the individual or authorized representative, requests suspension, reduction, or termination of services.



4.2 Client Assistance Program (CAP) and Supervisory Review

The CAP and supervisory review are encouraged as a means to resolve dissatisfaction. These options are in keeping with the IDVR policy to resolve an individual's dissatisfaction at the earliest possible time.

4.3 Informal Appeals Process: 45 days maximum to decision

4.3.1 The Informal Administrative Review process is an option available to the individual as a proven means likely to result in a timely resolution of disagreements. An individual must request an Informal Administrative Review within ten (10) calendar days of the agency notice regarding the provision or denial of services that are in question. The request must be in writing to the Regional Manager. The request must describe the complaint.

In holding an Informal Administrative Review, the Regional Manager will function as the Administrative Review Officer and will be responsible for:

- A. Conducting the review within fifteen (15) calendar days following written receipt of a request for such a hearing.
- B. Advising the individual of his/her right to have a representative present and encouraging the individual to use the services of CAP.
- C. Insuring that the review is conducted at a time mutually agreed to by the parties involved that ensures the entire appeals process can be completed within forty-five (45) calendar days, unless the parties agree to a specific extension of time.
 - a. When undue delay is caused by the individual in scheduling an Administrative Review, the individual will be informed that if the review is not conducted within thirty (30) calendar days following the individual's request for an Informal Administrative Review, the individual's request will be viewed by the IDVR as invalid.
 - b. When the individual makes a documented effort to utilize CAP or another selected advocate to resolve his/her dissatisfaction, the time allowed for conducting an Administrative Review will be extended accordingly.
- D. Holding the review at a time and place convenient to the individual, generally at the local IDVR branch office.
- E. Providing communication methods for those individuals who have a sensory impairment. An interpreter will be provided for those individuals

who cannot communicate in English.

- F. Assuring that the individual is provided transportation to and from the review site, if needed.
- G. The Administrative Review Officer (Regional Manager) will attempt to resolve the matter to the satisfaction of the individual, developing a written agreement with the individual at the conclusion of the appeal process. A copy will be sent to the Administrator, Chief of Field Services, the involved counselor(s) and the counselor's supervisor. The results are binding for the agency unless the decision is not permitted by law. The individual may reject the findings of the review and request a formal appeal known as an Impartial Due Process Hearing.

4.4 Formal Appeals Process

The Formal Appeal Process is an option available to any individual who is dissatisfied with any determination made by personnel of IDVR that affects the provisions of vocational rehabilitation services. An individual may request, or if appropriate, may request through the individual's representative, a timely review of the determination. Such request must be made within sixty (60) days of the IDVR case management decision resulting in the initial disagreement. The Formal Appeal Process shall include an Impartial Due Process Hearing by an Impartial Hearing Officer (IHO).

An individual may request an Impartial Due Process Hearing immediately without having to go through other appeal steps. Even if an individual agrees to an informal hearings process, such individual is entitled to a Due Process Hearing within sixty (60) days of the IDVR case management decision that initiated the disagreement, unless both parties agree to an extension.

- 4.4.1** A formal hearing is a procedure whereby an individual who is dissatisfied with any determination concerning the provision or denial of IDVR services or the findings of the Administrative Review may seek a determination of agency action before an Impartial Hearing Officer.
- 4.4.2** The individual must request a hearing within ten (10) calendar days of the agency notice regarding the provision or denial of services based upon the conclusion of the Administrative Review or mediation. The individual may bypass the Informal Administrative Review or mediation process entirely and go directly to the Impartial Due Process Hearing (fair hearing). That process will then commence immediately.
- 4.4.3** A request for a hearing must be sent in writing to the Chief of Field Services and clearly state the individual's dissatisfaction.

- 4.4.4** The hearing shall be conducted within sixty (60) calendar days of receipt of the individual's request for review, unless informal resolution is achieved prior to the 60th day, or the parties agree to a specific extension of time.
- 4.4.5** A hearing shall be conducted by an Impartial Hearing Officer selected from the pool of qualified persons identified jointly by the Administrator of IDVR and the State Rehabilitation Council.
- 4.4.6** The Hearing Officer shall issue a written report of the findings and decision of the hearing within thirty (30) calendar days of the completion of the hearing.
- 4.4.7** The decision of the hearing officer shall be considered final by the agency.
- 4.4.8** Any party who disagrees with the findings and decisions of an impartial hearing officer shall have the right to bring a civil action with respect to the matter in dispute. The action may be brought in any state court of competent jurisdiction or in a district court of the United States of competent jurisdiction without regard to the amount in controversy.

4.5 Mediation

- 4.5.1** Mediation is an alternate dispute resolution method available to applicants and eligible individuals who have initiated the Formal Appeals Process.
 - A. An individual must request Mediation within ten (10) calendar days of the agency notice regarding the results of the Administrative Review. Mediation is available to an individual when an Administrative Review has not resolved the dispute to the satisfaction of the individual.
 - B. A request for mediation must be made in writing to the Chief of Field Services and clearly state the reason for dissatisfaction with the results of the Administrative Review. The Chief of Field Services will represent IDVR or assign a member of the administrative or supervisory staff who has not participated in agency action that created the individual's dissatisfaction.
 - C. Participation in the mediation process is voluntary on the part of the individual and on the part of IDVR. Either party may reject mediation as an alternate dispute resolution method. Either party, once accepting mediation as an alternate dispute resolution method, may terminate the mediation process.
 - D. Mediation is not used to deny or delay the individual's right to pursue an impartial hearing. Should the individual and/or designated representatives select mediation in lieu of a formal hearing; the option for the formal hearing will be extended to allow the results of the mediation to be established. After the final results of the mediation

are determined, the individual retains the right to request a formal hearing.

- E. Mediation is conducted by qualified and impartial mediators, who are selected randomly from a list of mediators maintained by the IDVR.
- F. Mediation discussions are confidential and may not be used as evidence in a subsequent due process hearing.
- G. The mediator will develop a written Mediation Agreement, if agreement between the parties is reached, signed by the individual, the mediator and IDVR.
- H. Cost of mediation is paid by IDVR, although no costs are provided for representation for the individual.

Client Appeals Process

FORMAL PROCESS		INFORMAL PROCESS	
File request for Impartial Due Process Hearing (fair hearing) to IDVR Administration		File request for Informal Dispute Resolution (administrative review) to Regional Manager. State reason for review.	File request for Mediation to Regional Manager. State reason for mediation.
Impartial Due Process Hearing (fair hearing) conducted by Impartial Hearing Office within 60 days of request.		Informal Dispute Resolution (administrative review) conducted by Regional Manager within 45 day time period.	Mediation conducted by impartial Mediator within 45 day time period.
IHO chosen from State approved list = IHO informs client of time and date.		Regional Manager informs client of time and date.	Mediator chosen from list of qualified mediators. Mediator informs all parties of time and date.
Decision Final		Regional Manager makes decision on Informal Dispute Resolution (administrative review). Responds in writing to client.	Written Mediation Agreement
Civil action initiated within any court of competent jurisdiction or district court.		Client may request Impartial Due Process Hearing (fair hearing) or Mediation if, dissatisfied with Informal Dispute Resolution (administrative review).	Client may request an Informal Dispute Resolution (administrative review) or Impartial Due Process (fair hearing) if dissatisfied with Mediation.

SECTION 5.0 APPLICATION FOR SERVICES / ELIGIBILITY DETERMINATION

5.1 Application for Idaho Division of Vocational Rehabilitation (IDVR) Services

An applicant is:

- A. An individual who believes s/he has a disability that creates an impediment to employment; who believes s/he requires VR services; and who desires employment as an outcome of those services;
AND
- B. Who signs a dated application or dated document requesting services;
AND
- C. Who has provided information necessary to initiate an assessment to determine eligibility;
AND
- D. is available to complete the assessment process.

It is the policy of IDVR to respond to referrals as soon as possible. The goal of IDVR is to respond to a referral within 5 working days to initiate the application process.

5.2 Assessment for determining eligibility and priority for services

Any individual who applies for services shall undergo an assessment for determining eligibility and the priority for services, the results of which shall be shared with the individual.

The assessment will be conducted in the most integrated setting possible and consistent with the needs and informed choice of the individual.

Eligibility for IDVR service shall be determined within a reasonable period of time, not to exceed 60 days after the application for services has been received (signed and dated) unless the following occurs:

- A. The applicant is notified that exceptional and unforeseen circumstances beyond control of IDVR preclude the counselor from completing the determination within the prescribed time frame and the applicant agrees that an extension of time is warranted;
OR
- B. A trial work experience including an exploration of the individual's abilities, capabilities, and capacity to perform in work situations is carried out;
OR
- C. An extended evaluation is necessary



IDVR Referral Information

My Personal Information:

SS#: _____ - _____ - _____

First Name: _____

Middle: _____

Last Name: _____

Preferred Name: _____

Gender: _____

Birth Date: ____/____/____

Previous Last Name: _____

Case Information

Application Date: ____/____/____

My Address:

Home Address: _____

City: _____ State: _____ Zip: ____-____

County: _____

Mailing Address: _____

City: _____ State: _____ Zip: ____-____

County: _____

Primary Phone: ____-____-____

☐ Voice

☐ TDD

☐ Fax

Second Phone: ____-____-____

☐ Voice

☐ TDD

☐ Fax

E-mail: _____

Directions to Home (*if needed*):

Select one or more of the following races/ethnicities:

☐ American Indian or Alaskan Native

☐ Asian

☐ Black

☐ Hispanic or Latino

☐ Native Hawaiian or Other Pacific Islander

☐ White

Primary Language: _____

English

ASL

Spanish

Other

Special Needs:

My Family/Contacts:

	Name	Relationship	Phone	Voice/ TDD/ Fax	Email
1.					
2.					
3.					

Who referred me?: _____

What are my living arrangements at this time? _____

Live in what county? _____

Marital Status: ☐ Married ☐ Widowed ☐ Divorced ☐ Separated ☐ Never Married

Number in my family: _____ Number of Dependents: _____

My Primary Source of Support: _____

I have one or more of the following medical insurances:

- | | |
|---|--|
| <input type="checkbox"/> Medicaid | <input type="checkbox"/> Medicare |
| <input type="checkbox"/> None | <input type="checkbox"/> Private insurance through other means |
| <input type="checkbox"/> Private insurance through own employment | <input type="checkbox"/> Public insurance from other source |
| <input type="checkbox"/> Worker's compensation | |

Is Public Support Available to me? ☐ Yes ☐ NoSSDI Status:

_____	_____	_____	_____	_____
allowed	denied	pending	terminated	not an applicant

SSI Status:

_____	_____	_____	_____	_____
allowed	denied	pending	terminated	not an applicant
cash	other		cash	other

SSI Aged:	\$ _____	<input type="checkbox"/>	Worker's Compensation:	\$ _____	<input type="checkbox"/>
SSI Disabled:	\$ _____	<input type="checkbox"/>	Other Disability:	\$ _____	<input type="checkbox"/>
SSDI:	\$ _____	<input type="checkbox"/>	Other:	\$ _____	<input type="checkbox"/>
VA:	\$ _____	<input type="checkbox"/>	TANF:	\$ _____	<input type="checkbox"/>

My current level of education: _____

I have received services under an Individualized Education Program (IEP) ☐ Yes ☐ No

I am currently a high school student participating in a transition program: ☐ Yes ☐ No

If I am attending high school, the name of the school is: _____

My last year employed: _____

I have been employed within one week of this application: ☐ Yes ☐ No

My work status at application: _____

Hours Worked per Week: _____ Salary: _____ ☐ Hourly ☐ Weekly ☐
Monthly

My Work History:

	Employer Name and Address	Job Title	Job Duties	Hours/Week Worked	Salary \$_____ /____	Start/ End Date	Reason for Leaving
1							
2							
3							
4							
5							

I want help because I have the following disabilities:

I have records from the following places that explain my disabilities:

I am participating in the following program(s):

- | | |
|---|---|
| <input type="checkbox"/> Adult Correction | <input type="checkbox"/> Community Supported Employment |
| <input type="checkbox"/> DJC Going Home Grant | <input type="checkbox"/> DOC Going Home Grant |
| <input type="checkbox"/> General VR Kidney | <input type="checkbox"/> IDOC Reentry Program |
| <input type="checkbox"/> Juvenile Correction | <input type="checkbox"/> Medicaid |
| <input type="checkbox"/> Medicare Project | <input type="checkbox"/> Migrant Farm Worker not in Section 304 |
| <input type="checkbox"/> Migrant Service Coordination Grant Under 304 | <input type="checkbox"/> None |
| <input type="checkbox"/> School-Work | |

I have a felony offense: ☐ Yes ☐ No

Describe: _____

My probation/parole officer is: _____

Veteran: ☐ Yes ☐ No

Migrant or Seasonal Farm Worker:

- ☐ No, not Migrant
- ☐ Yes, not under Section 304, not in MSC Grant
- ☐ Yes, under Section 304, MSC Grant



5.3 Eligibility Criteria

An individual is eligible for Vocational Rehabilitation if the following criteria are met:

- A. A determination by “qualified personnel” (See 5.3.1) that the applicant has a physical or mental impairment;
- B. A determination by qualified personnel that the applicant’s physical or mental impairment constitutes or results in a substantial impediment to employment for the applicant;
- C. A determination by a qualified vocational rehabilitation counselor employed by IDVR that the individual requires vocational rehabilitation services to prepare for, secure, retain or regain employment consistent with the applicant’s unique strengths, resources, priorities, concerns, abilities, capabilities, interest and informed choice;
- D. A presumption by a qualified vocational rehabilitation counselor that the applicant can benefit in terms of an employment outcome from the provision of vocational rehabilitation services.

NOTE: *The individual can benefit in terms of an employment outcome from vocational rehabilitation services unless the counselor demonstrates on the basis of clear and convincing evidence, and only after an exploration of the individual’s abilities, capabilities, and capacity to perform in work situations or an extended evaluation is carried out, that such individual is incapable of benefiting from vocational rehabilitation services in terms of an employment outcome.*

5.3.1 Qualified Personnel

IDVR has established a policy for accessing “qualified personnel” for the purpose of disability determination. Under the Rehabilitation Act, the assessment for determining eligibility must be made by “qualified personnel” including, if appropriate, personnel skilled in rehabilitation technology (Section 103(a)(1) of the Act). In addition, diagnosis and treatment for mental and emotional disorders must be provided by “qualified personnel who meet State licensure laws” (Section 103 (a)(6)(F) of the Act).

The preamble to the VR program regulations (Federal Register, Vol. 62, No. 28. February 11, 1997, page 6324) states that a determination that an individual has a physical or mental impairment, or meets any of the other eligibility criteria of 34 CFR 361.42(a) must be made by personnel who meet existing licensure, certification, or registration requirements applicable to their profession. Depending upon the profession, “qualified personnel” could include individuals licensed, certified, or registered under state law or State regulations or some type of national licensure, certification, or registration process.



The determination of the existence of an impairment should be supported by medical and/or psychological documentation. Medical/psychological disabilities shall be diagnosed by individuals who demonstrate the possession of requisite state licensure, certification, or registration of requirements applicable to the practice of their profession within the state of Idaho.

The following occupations have been licensed in Idaho to provide general medical diagnoses. *The VR Counselor can utilize general medical diagnoses established by these medical professionals.*

- Medical Physician or Doctor of Osteopathy
- Nurse Practitioner (works under own licensure)
- Physician's Assistant (works under a "Delegation of Services Agreement" with a physician providing oversight)

The following occupations have been licensed in Idaho to provide specific medical diagnoses within the specialized areas of competency for which the specific licensure has been determined. *It is critical that the VR Counselor take special precaution to ensure that when utilizing medical diagnoses from one of the medical professions listed below that only those areas of expertise for which the particular professional has been credentialed are documented within the eligibility determination module.*

- Licensed Psychologist
- Chiropractor
- Naturopath
- Podiatrist
- Optometrist
- Physical Therapist
- Dentist/Orthodontist

For further clarification, you may access www.ibol.idaho.gov and connect to "The Individual Board Pages" to determine the full extent of the professional latitude allocated to the medical occupations that are licensed to provide specialized services within narrowly defined parameters of competency. The State Board of Medicine maintains jurisdiction over the authority and conduct of medical doctors.

RSA mandates that either federal or state sponsored boards must grant authority to all licensures, certifications or registrations that qualify a professional to diagnose disabilities for the purpose of agency eligibility. Private Licensing/certifying boards outside the federal/state purview cannot be utilized as a basis for VR diagnostic purposes.

5.4 Social Security Presumption

Any applicant, who has been determined eligible for Social Security benefits under Title II or Title XVI of the Social Security Act, is presumed to meet the eligibility requirements for vocational rehabilitation services and is considered an individual with a significant disability.



Following an application and initial interview where an individual reports receiving SSI or SSDI, the counselor will obtain verification of receipt of SSI/SSDI, such as an award letter, a copy of the individual's check, or a verification document through the Social Security Entry and Verification System (SVES). Upon verification, the individual is made eligible for vocational rehabilitation with a Presumption of Eligibility statement in the record of services.

NOTE: If the applicant presents sufficient medical documentation to determine eligibility at the first meeting, verification will still be procured but eligibility can be determined immediately without designating presumptive status.

The assessment for determining rehabilitation needs will continue, as needed, to obtain information necessary to determine the Individual Plan for Employment. This assessment will include gathering existing records to determine the individual's impairment, impediment and nature and scope of the VR services necessary to obtain an employment outcome consistent with the individuals' unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice.

When the assessment adequately documents the impairment(s), employment impediment(s) and required service(s) needed, the qualified VR counselor completes an Eligibility Determination in the agency computerized data system (Gemini).

If an individual receives disability benefits under Title II or Title XVI of the Social Security Act and intends to work, IDVR presumes eligibility for services, unless, because of the significance of the individual's disability, a VR counselor cannot presume that VR services will enable the individual to work.

Should the significance of the disability prevent a VR counselor from presuming that VR services will enable the individual to work, the individual will be asked to complete a trial work experience in order for the counselor to make an eligibility decision.

If the individual cannot take advantage of a trial work experience, an extended evaluation must be conducted in order to make the decision of eligibility.

5.5 Review and assessment of data for eligibility determination

The eligibility determination shall be based on the review and assessment of existing data, including counselor observations, education records, and information provided by the individual or family, particularly information used by education officials and determinations made by officials or other agencies. Current medical records will, of course, be utilized to determine the nature and extent of the disability as well as for justification for the procurement of additional medical data when required to identify/verify alleged medical restrictions.

To the extent that existing data does not describe the current functioning of the



individual, IDVR will conduct an assessment of additional data resulting from the provision of VR services including trial work experiences, assistive technology devices and services, personal assistance services, and any other support services that are necessary to determine whether an individual is eligible.

Upon completion of the eligibility assessment, the counselor shall make one of the following determinations:

5.5.1 Eligibility: For each individual determined eligible for vocational rehabilitation services, the record of services must include a dated Eligibility Determination completed by a qualified vocational rehabilitation counselor.

5.5.2 Trial Work Experiences (TWE) for individuals with significant disabilities:

Prior to any determination that an individual with a disability is incapable of benefiting from VR services in terms of an employment outcome because of the severity of that individual's disability, an exploration of that individual's abilities, capabilities, and the capacity to perform in realistic work situations must be conducted to determine whether or not there is clear and convincing evidence to support such a determination.

In such cases a written plan must be developed to assess and determine the above. The assessment must be provided in the most integrated setting possible, consistent with the informed choice and rehabilitation needs of the individual. TWE include supported employment, situational assessment and other experiences using realistic work setting and must be of sufficient variety and over a sufficient period of time to make such a determination. Appropriate supports, including assistive technology devices and services and personal assistance services to accommodate the rehabilitation needs of the individual must be provided.

Remember: Trial Work Experience should be used to demonstrate whether the individual is capable of benefiting from VR services. Trial Work Experience will be conducted before Presumptive Eligibility is completed if there is a question regarding capacity to benefit.

To place participant in Trial Work Experience, VR Counselor must:

- 1) Determine that individual has a significant physical or mental impairment (disability) that is a substantial impediment (barrier) to employment.

Document in Gemini, under Disability Browse, in the Disability sub-page. Document each disability and its associated functional limitations separately under Disability Documentation and Other Comments. Gemini will number them: 1, 2, 3, etc. Please enter them in order of priority – primary will be #1, secondary # 2, etc.

*Document in Gemini in Eligibility Determination using check boxes **and** the text box under #3 Impediment to Employment.*



- 2) Have questions about whether the participant is capable or incapable of benefiting in terms of an employment outcome from VR services due to severity of disability.
- 3) If Trial Work is determined to be appropriate a case note will be completed within of 5 days of receipt of SSA verification document(s) and a plan will be developed within 30 days.
- 4) With the participant, develop a Trial Work Experiences plan to assess the participant's ability, capabilities and capacity to perform in realistic work situations through the use of Trial Work Experiences. The TWEs must be provided in the most integrated setting possible, consistent with the informed choice and rehabilitation needs of the participant. TWEs may include CBWE, CBWA, CSE, job coaching, on-the-job training or other experiences using realistic work settings, as well as assistive technology and other needed services.

In Gemini, do not document in #4 Documentation or put in the Eligibility date at this time. You may complete these after the TWE plan if you go ahead with Eligibility determination.

- 5) Review Gemini 3, Client Rights and Responsibilities
- 6) Assess need for Rehabilitation Technology Services, if and when necessary.
- 7) Insure that individual is an active partner, making meaningful and informed choices in the provision of Trial Work Experiences.
- 8) Review the TWE Plan at least every 90 days to determine if there is sufficient evidence to conclude that the participant can benefit from VR Services in terms of an employment outcome or there is clear and convincing evidence that the participant is incapable of benefiting from VR Services in terms of an employment outcome due to the severity of the disability.
- 9) Make the determination for eligibility or case closure within the 18-month time frame.

5.5.3 Extended Evaluation:

Under limited circumstances if an individual cannot take advantage of trial work experiences or if options for trial work experiences have been exhausted, an Extended Evaluation (EE) must be conducted to make these determinations.

In all cases where the counselor determines that an extended evaluation is required, the case record must include a Determination of Extended Evaluation completed by a qualified vocational rehabilitation counselor, which documents:

- A. That the individual has a physical or mental impairment which constitutes or



results in a substantial impediment to employment and requires VR services, and

- B. That it is questionable if the individual is capable of benefiting from VR services in terms of an employment outcome because of the severity of the disability.

During the extended evaluation period, VR services must be provided in the most integrated setting possible, consistent with the informed choice and rehabilitation needs of the individual. There must be a written Extended Evaluation Plan for providing services necessary to make an eligibility or ineligibility determination. Only those services that are necessary to make the above determinations are to be provided and extended evaluation services are terminated when the qualified vocational rehabilitation counselor is able to make the determinations.

An individual will remain in extended evaluation only for the period of time required to determine if the individual can benefit from VR services in terms of an employment outcome but not to exceed 18 months. A review of the case shall be conducted as often as necessary but at least every 90 days.

To place individual in Extended Evaluation, VR Counselor must:

- 1) Determine that participant has a significant physical or mental impairment (disability) that is a substantial impediment (barrier) to employment.

Document in Gemini, under Disability Browse, in the Disability sub-page. Document each disability and its associated functional limitations separately under Disability Documentation and Other Comments. Gemini will number them: 1, 2, 3, etc. Please enter them in order of priority – primary will be #1, secondary #2, etc.

*Document in Gemini in Eligibility Determination using check boxes **and** the text box under #3 Impediment to Employment.*

- 2) Have questions about whether participant is capable or incapable of benefiting in terms of an employment outcome from VR services due to severity of disability.
- 3) Have conducted Trial Work Experience or determined that participant is unable to take advantage of TWE.
- 4) With participant, develop an Extended Evaluation plan to assess participants' abilities, capabilities and capacity to perform in work settings. During the Extended Evaluation, VR Services must be provided in the most integrated setting possible, consistent with the informed choice and rehabilitation needs of the participant. VR will only provide those services necessary to make the determination of ability to benefit.

In Gemini, do not document in #4 Documentation or put in the Eligibility date at this time. You may complete these after the EE plan if you go ahead with Eligibility determination.

- 5) Review Gemini 3, Client Rights and Responsibilities.
- 6) Assess need for Rehabilitation Technology Services, if and when necessary.
- 7) Insure that participant is an active partner, making meaningful and informed choices in the provision of Extended Evaluation.
- 8) Review the Extended Evaluation Plan at least every 90 days to assess progress.
- 9) Terminate Extended Evaluation services as soon as VR is able to make the determination of the participant's ability or inability to benefit in terms of an employment outcome.
- 10) Make the determination for eligibility or case closure within the 18-month timeframe.

5.5.4 Ineligibility:

In all instances where the counselor determines that an applicant for, or recipient of vocational rehabilitation services does not meet the requirements for eligibility, the record of services must include a determination of ineligibility, dated and signed by the counselor, which documents the reasons for the ineligibility determination. Ineligibility decisions based upon the severity of a disability must outline clear and convincing evidence and require a period of trial work experiences or extended evaluation prior to closure. (See Closure, Section 13)

On occasion an application will be completed on individual who is later determined, after the acquisition of diagnostic information, to be an appropriate candidate for Extended Sheltered Employment Services (Work Services). A Trial Work Experience (TWE) or Extended Evaluation (EE) must be conducted to provide clear and convincing evidence that the individual is incapable of benefiting in terms of employment from VR services. Once the TWE is completed and verifies the severity of the disability, the individual will be referred to the Extended Employment Services Program (EES) (See Section 12.12) for appropriate placement in a sheltered work environment and closed as "Too Severely Disabled".

It is federally mandated that IDVR monitor the closure outcome within 12 months of closure (See Section 13.1.2.D).

SECTION 6.0 THE DETERMINATION OF SIGNIFICANCE OF DISABILITY

6.1 Policy

At the time an individual is determined eligible for VR services, a VR counselor will determine the significance of the disability and, based upon the determination, will assign the individual to a priority category. If the agency is not under an Order of Selection, the prioritization will be used (1) for planning purposes to ascertain services that can continue to be provided to all who are eligible and (2) to provide a structure for an easy transition to an Order of Selection if required. If the agency is under an Order of Selection (see agency Policy), the priority categories are used to determine the order in which individuals receive services.

6.2 Definitions

Priority Categories:

- A. Individuals with no significant disabilities
- B. Individuals with significant disabilities
- C. Individuals with most significant disabilities

Disability - An individual with no significant disability:

- A. Who has a physical or mental impairment;
- B. Whose impairment constitutes or results in a substantial impediment to employment; and
- C. Who can benefit in terms of an employment outcome from the provision of vocational rehabilitation services.

Significant Disability (SD): An individual with a significant disability:

- A. Meets the criteria for an individual with a disability.
- B. Experiences a severe physical and/or mental impairment that seriously limits one or more functional categories (such as mobility, work skills, self-care, interpersonal skills, communication, self-direction or work tolerance) in terms of an employment outcome;
- C. Requires multiple vocational rehabilitation services over an extended period of time.



Most Significant Disability (MSD): An individual with a most significant disability:

- A. Meets the criteria established for an individual with a significant disability;
and
- B. Experiences a severe physical and/or mental impairment that seriously limits three or more functional categories (such as mobility, work skills, self-care, interpersonal skills, communication, self-direction or work tolerance) in terms of an employment outcome.
- C. Requires multiple vocational rehabilitations over an extended period of time.

Note: Individuals who are beneficiaries of Social Security Disability Benefits (SSDIB) or recipients of Supplemental Security Income are automatically classified as either SD or MSD depending upon the extent of their functional category limitations.

Priority Category	Meets Definition of Significantly Disabled	Functional Loss Categories	Duration of Services	Number of Services
1. Most Significantly Disabled	Yes	3 or more	Requires VR Services over an extended period of time	Requires multiple Services
2. Significantly Disabled	Yes	1 or more	Requires VR Services over an extended period of time	Requires multiple Services
3. Disabled	No	1 or more	No duration of Service requirement	Multiple Services NOT required

6.3 Procedures

Determination of Significance of Disability

A VR counselor determines the level of severity of an individual's disability based on a review of the information gathered to determine eligibility. If additional information is necessary to make the determination, a VR counselor may obtain the information from the individual, individual's family, an outside professional and/or another public agency.

If adequate information is not available to describe or document current functioning, a VR counselor may purchase diagnostics from a qualified service provider.

A VR counselor reviews the data to determine:

- A. The number of serious functional losses present as a result of a disability;
AND
- B. Whether an individual is likely to need multiple VR services to prepare for, obtain, or maintain a job;
AND



- C. Whether services are likely to be needed for an extended period of time. (No specific time frame for “extended period of time” is defined. The VR counselor must consider each person’s unique circumstances to determine whether the needed services can reasonably be expected to require an extended period of time. For this purpose, 6 months may be used as a general benchmark but may not be applied as an absolute limit since each individual’s circumstances must be uniquely considered.)

Identifying a Serious Functional Loss

Functional loss categories include mobility, work tolerance, communication, self-care, interpersonal skills, self-direction, and work skills. To identify a functional loss, a VR counselor reviews and assesses data provided by the individual or individual’s family, observed by the VR counselor, or reported by another qualified professional to determine whether:

- A. A functional loss resulting from a disability is present;
AND
- B. The function loss represents an impediment to employment;
AND
- C. The functional loss meets the definition of a “serious functional loss.”

A serious functional loss means a reduction in capacity of the individual to the degree that the person requires services or accommodations not typically provided to other individuals in order to prepare for, secure, or maintain a job.

A specific disability diagnosis does not automatically infer the presence of one or more functional losses. Although certain functional losses are commonly associated with specific disability diagnoses, the presence and seriousness of these functional losses are unique for each person. Therefore, a VR counselor must complete a thorough evaluation of functional losses for each individual.

Work-related limitations may result from or be compounded by external factors, such as geographic location, poor public transportation or lack of training. These factors do not relate to a disability and are not factors in determining a serious functional loss.

Self-Reported or Observed Functional Losses

A VR counselor may identify a functional loss based on a participant’s self-report, reports from the family, school representative or others, or based on counselor observations.

For example, while interviewing an applicant who is hard of hearing, a VR counselor observes that the individual is not able to effectively communicate verbally. Medical

records clearly establish a hearing impairment, but do not address verbal limitations. Because a functional loss in verbal communication is consistent with and commonly associated with a hearing loss, the VR counselor may determine, based on his or her observations, that a serious functional loss is present. To ensure the case service record explains and supports the determination, the VR counselor enters case narrative explaining that a loss in the area of communication was observed, a summary of the observations, and how the functional loss affects the applicant.

If an individual reports a functional loss that is neither consistent with nor supported by disability-related documentation, the VR counselor and individual need to discuss and reach agreement on how to get the information necessary to verify the functional loss.

SD/MSD Checklist

Once the VR counselor determines a disability-related functional loss is present, he or she considers whether the functional loss meets the definition of a “serious functional loss” contained in the SD/MSD Checklist functional loss definitions. If the functional loss meets the definitions of a “serious functional loss” the counselor checks the appropriate indicator on the Checklist. If the individual experiences a functional loss that is not described on the SD/MSD Checklist, the VR counselor may write a description of the functional loss in the space provided.

Only one indicator within a category (mobility, work, tolerance, communication, self-care, interpersonal skills, self-direction, and work skills) is needed to determine that a serious functional loss is present in that category.

Documentation of a Functional Loss

The VR counselor documents the functional loss in the Gemini Eligibility Determination, “Section 3 - Impediment to Employment.”

The VR counselor is responsible for adequately describing:

- A. The nature of each functional loss (mobility, work tolerance, communication, self-care, interpersonal skills, self-direction, or work skills);
AND
- B. The basis for making the determination, i.e. a description of what was observed, a summary of what was reported and who reported the information, or whether the determination is based on documentation contained in medical or other information in the case service record;
AND
- C. The specific limitations experienced by the individual.

After determining the number of functional losses present, the VR counselor



determines whether the individual is likely to require multiple services over an extended period of time. The VR counselor also considers the number of serious functional losses and impediments to employment.

Note: *No specific time frame for “extended period of time” is defined in statute or regulation. The VR counselor must consider each participant’s unique circumstances to determine whether the needed services can reasonably be expected to require an extended period of time. For this purpose, six months may be used as a general benchmark, but not applied as an absolute limit, since each individual’s circumstances must be uniquely considered.*

When the VR counselor has sufficient data to determine eligibility and significance of disability, the VR counselor completes the required documentation.

Determination of Significance of Disability Documentation

Again it is important to emphasize that in addition to case file documentation and supporting medical records, the required eligibility/significance of disability documentation must include the SD/MSD Checklist.

Remember: *The SD/MSD Checklist is a form used to support the determination; however, and is not sufficient enough documentation to adequately describe the individual’s limitations by itself.*

The VR counselor completes the SD/MSD Checklist for each individual as soon as sufficient information is available, but no later than sixty days from the date of application (unless an extension has been agreed upon). IDVR will then send a letter advising the individual of the eligibility decision.

Functional Loss Definitions

A serious limitation in a major functional area means a reduction in capacity of the individual to the degree that the person requires services or accommodations not typically made for other individuals in order to prepare for, get, or keep a job.

While limitations may result from or be compounded by external factors, such as geographic location, poor public transportation or lack of training, these factors should not be the basis of the limitation for the purpose of defining serious restriction. Defining limitations in these functional areas relies on the professional rehabilitation counselor’s interpretation of the effect of the disability on the individual as well as on medical or diagnostic evaluation data.

Function Loss Definition Chart (SD/MSD Checklist):

AREA	SERIOUS LIMITATION	DISABILITY
COMMUNI- CATION Effective exchange ideas and information through written or spoken words.	1. Cannot hear or understand the content of ordinary spoken conversation or;	
	2. Cannot be readily understood by others on first contact; or	
	3. Cannot print or write short notes such as: Out of Order, Don't Walk; or other required survival skill messages;	
	4. Cannot read signs or short notes from others; or	
	5. Requires an interpreter for the hearing impaired, hearing aids, augmentative communication device, or other accommodation not typical to communicate in work, training or living environments.	
INTERPERSON- AL SKILLS Establish and maintain Personal working relations with others.	1. Cannot establish and maintain working relationships with co-workers, fellow students, or family members, or	
	2. Exhibits destructive behaviors such as: hitting, yelling, tantrums, sexual/racial harassment, which interfere with the performance of the individual or others in training or work settings; or	
	3. Individual avoided or rejected by co-workers or fellow students because of serious scarring, disfigurement, uncontrolled drooling, or uncontrolled motion.	
MOBILITY Move about from place to place and move the body into various positions.	1. Unable to move safely around within common training, home, or work environments without the help of others or the use of assistive devices such as: wheelchair, prosthesis, crutches, cane, or walker; or is	
	2. Significantly restricted or limited in the distance he/she can safely move within common training, home, or work environments; or	
	3. Takes significantly longer to move about within common training, home or work environments than the average person; or	
	4. Cannot safely change body positions without the help of others or the use of assistive devices; or	
	5. Requires assistive technology, modifications, adaptations, or accommodations not typical in order to move around within common training, home, or work environments.	
SELF-CARE Perform basic personal care and independent living activities	1. Requires personal assistance to perform most self-care activities; or	
	2. Requires personal assistance to perform most independent living activities; or	
	3. Is unable to obtain a driver's license due to a disability; or	
	4. Requires a special modified vehicle for travel within the community; or	
	5. Requires independent living, training, or rehabilitation technology services to perform self-care and/or independent living activities.	
SELF-DIRECTION	1. Requires ongoing personal assistance such as: prompts, cues, or physical guidance to start, finish, or stop tasks, follow schedules or decide what to do next; or	

Manage and take control Of one's personal, social and work life.	2. Has recurring episodes during which personal assistance is required to start, finish, stop, or complete tasks, or follow schedules; or	
	3. Requires intensive individualized supervision or personal assistance beyond that which is typical when entering a new training or work setting; or	
	4. Requires constant monitoring by others because of confusion or disorientation; or	
	5. Requires assistive technology, compensations, adaptations, or accommodations such as: detailed calendars, appointment books, alarms, not typical for others in order to start, finish, or complete tasks, follow schedules or decide what to do next within common training or work environments.	
WORK SKILLS Possess skills needed to perform jobs which exist in the economy (regardless of demand).	1. Is unable to perform the work skills essential to maintaining employment in the previous job or line of work and does not have other work skills which could be used to enter and maintain a job comparable in skill (not wages) which is readily available locally, or in an economy to which the individual is willing to relocate; or	
	2. Has not learned the work skills usually possessed by the average person of comparable age, education, or experience which could be used in a work environment which is readily available locally or in an economy to which the individual is willing to relocate; or	
	3. Has symptoms of hallucinations, delusions, depression, obsession ruminations, time consuming obsessive/compulsive routines or medication side effects which interfere with the ability to concentrate on or complete common work, home, or school tasks at a pace comparable to that of the average person in the general population; or	
	4. Requires specialized instructional methods, extended learning periods, assistive technology, or accommodations and adaptations not typical for others students or trainees to learn work skills; or	
	5. Requires continual monitoring, skill training, behavior management, support, assistive technology or accommodations and adaptations not typical for other employees to maintain work skills and stable job performance.	
WORK TOLERANCE Perform under the levels of physical, environmental, or psychological demands commonly found in work settings.	1. Individual is unable to lift and carry a sack of groceries, 12 pack of soda pop, pail of water, or objects weighing up to 20 lbs; or	
	2. Individual is unable to sustain a continued or prolonged paced movement of the arms, hands, or fingers over the course of a typical 8 hour work day; or	
	3. Individual is unable to sustain a continued or prolonged standing or sitting position of the body required to perform the previous job or line of work over the course of a typical 8 hour day; or	
	4. Individual is unable to sustain consistent physical or mental work effort over the course of a typical 8 hour day, 5 day work week, 52 week year; or	
	5. Individual is unable to tolerate the common environmental conditions found in the typical work environment; or	
	6. Individual is unable to tolerate the common psychological stresses found in the typical work environments; or	
	7. Requires assistive technology, modifications, or accommodations not typical to meet essential strength, stamina and endurance requirements or to deal with environmental or psychological demands.	
*Other causes include poverty, lack of education, environmental restrictions and age, sex, race or cultural factors.		

SECTION 7.0 ASSESSMENT OF VOCATIONAL REHABILITATION NEEDS

7.1 Primary Sources of Information

To the extent possible, the vocational goal, intermediate objectives, and the nature and scope of services to be included in the Individual Plan of Employment (IPE) must be determined based on the data used for the assessment of eligibility and priority for services.

The Comprehensive Assessment to be completed prior to the development of the IPE will use, as a primary source of information, to the maximum extent possible, the following:

- A. Existing information
- B. Information provided by the individual and, where appropriate, by the family of the individual.
- C. The Assessment may also include new information acquired by IDVR including an in-house vocational evaluation; Community based Work Evaluation (CBWE), aptitude tests, interest tests, job shadowing or any pertinent medical assessment required to identify the objectives, nature and scope of VR services that the individual may need in order to substantiate the choice of employment outcome.

7.2 Comprehensive Assessment of Rehabilitation Needs

Medical History:

The development of a rehabilitation plan requires the rehabilitation counselor to understand the individual's medical requirements. To do this, the VR counselor (VRC) or the vocational rehabilitation assistant (VRA) will need to obtain any existing medical records that confirm the individual's mental and physical conditions. This often can be obtained through a primary family physician. If the VR counselor cannot determine and confirm the individual's mental and or physical limitations, the scheduling of updated diagnostics will be required. This medical information is important to determine eligibility for services and if eligible, to identify a vocational goal that will not exceed mental and/or physical capacities. This information is critical when developing an appropriate vocational goal.

Work History:

The VR counselor is required to obtain a thorough work history of the participant at the time of the intake interview. The gathering of this information requires the identification of job titles, job duties/responsibilities, and length of time in each position,



hiring/educational requirements, and the reasons for leaving. Some attempt should be made to assess the individual's satisfaction with the job, the employer, and co-workers. Motivation and flexibility are two important variables that need to be evaluated.

Participant's Perception of Disability:

The selection of a vocational goal requires the VR counselor to understand the participant's perception of disability. This involves addressing the following areas:

- A. Physical limitations (lifting, walking, carrying, driving, stooping, reaching, handling, and bending)
- B. Mental limitations (coping with stress, working with other people, working alone)
- C. Present work tolerance
- D. Acceptance of disability
- E. Cognitive functioning
- F. Family and community support

The individual's perception is critical to know if the VR counselor is to help guide in the selection of an appropriate vocational goal. The establishment of an appropriate vocational goal requires that both the VR counselor and participant are aware and address the true barriers to employment.

Social & Economic:

It is important for the VR counselor to gather information regarding the participant's social and economic considerations to include any use of alcohol, street drugs, and tobacco. These considerations include:

- A. Values
- B. Family
- C. Service or support agencies
- D. Legal
- E. Financial

Does the individual experience any stressors with the family unit or community of friends? How does this impact his/her ability to participate in vocational rehabilitation services and what sort of influence does this have on a potential vocational goal? It is necessary to address these concerns, guide the individual in identifying solutions to



these concerns, and implement them.

Functional Limitations:

Functional limitations need to be clearly outlined before the participant begins the development of a vocational goal. In developing a vocational plan, the worker characteristics (temperaments, physical and mental requirements, environmental conditions) need to be assessed and matched to the individual's residual capacities. If they exceed the documented functional limitations, the VR counselor and the participant should never pursue a particular vocational goal unless assistive technology is available that can compensate for identified job tasks that exceed the individual's functional capacities.

Inherent Aptitudes/Transferable Skills:

The VR counselor must work with the individual in identifying existing worker traits that can be used in the development of a new vocational goal. *Too often, this is not addressed and subsequently, the success rate of the rehabilitation plans decreases.* One of the most practical ways to explore the participant's "employability goals" is to do a *transferable skills assessment*. The following skill areas are to be addressed:

- A. Adaptive skills – self-management skills and personality characteristics a person brings to the job.
- B. Functional skills – generic behaviors that deal with a person's level of skill working with data, people, and things that relate to the work environment.
- C. Specific content skills – competencies that enable an individual to perform a specific job according to the employer.

Many tools exist to assist the participant and the VR counselor to identify inherent aptitudes and transferable skills such as:

- A. Comprehensive Guidance and Counseling provided by the agency.
- B. Job Seeking Skills workshops offered by the Department of Commerce and Labor or Community Rehabilitation Programs (CRPs).
- C. Vocational Evaluations provided by CRPs either "in-house or within the community.
- D. Community based "job shadowing" experiences within the community.
- E. Career Interest Survey (CIS) studies as well as other computerized programs.

Vocational Evaluation:

Vocational evaluation is a comprehensive process that systematically uses either real or simulated work as the focal point for assessment and vocational exploration. The purpose is to assist individuals in vocational development. A vocational evaluation process incorporates medical, psychological, social, vocational, educational, cultural, and economic data. Examples of assessment include:

- A. Formal Vocational Evaluation
- B. Community Based Assessment
- C. Guidance & Counseling – Facilitated Self Discovery
- D. Labor Market Research
- E. Assistive Technology Review

Employability Development:

In the process of developing the employment goal, the participant must come to the point where a positive self-initiated resolution occurs. With this understanding in place, the individual is in a position to develop a comprehensive vocational goal and Individual Plan for Employment (IPE). The VR counselor will now assist in the development of a labor market entry strategy to identify service needs such as:

- A. Training
- B. Academic
- C. Vocational
- D. On-the-job
- E. Job Search
- F. Disability Adjustment Training
- G. Assistive Technology Training
- H. Accommodation Training
- I. Supportive Services
- J. Medical & Mental Restoration

Vocational rehabilitation services provided under this title are any services described in an IPE necessary to assist an individual with a disability in preparing for, securing, or regaining an employment outcome that is consistent with the strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice of the individual.

The Comprehensive Assessment is limited to information to identify the rehabilitation needs of the individual and to develop the IPE of the eligible individual.

The assessment shall be conducted in the most integrated setting possible, consistent with the informed choice of the individual.

The assessment may include, to the degree needed to make a determination of vocational rehabilitation needs and develop an IPE, an analysis of the pertinent factors affecting the employment and rehabilitation needs of the individual. The following *Comprehensive Assessment Template* has been designed as a word document to be cut and pasted into a Case Note once the appropriate headings have been completed. This document is intended to be an integral part of the decision process that leads to an informed choice in the selection of a vocational goal:

- * Compatibility of Disability with Employment
- * Skills, Interests, Aptitudes and Abilities
- * Market Analysis
- * Economic Expectations and Potential for Career Growth
- * Vocational Strengths and Capacities
- * Client Financial Issues
- * Informed Client Choice
- * Social Support
- * Training and Academic Test Results

7.3 Medical Consultation Policy

Medical consultations are retained by IDVR to review all medical data gathered pertaining to an individual participant. Medical consultant time can be used to review an individual's information to determine 1) if it is complete or if updated and/or additional medical reports are necessary, 2) to train the counselor about medical conditions and 3) to assist in case management direction.

Not every case needs to be reviewed by a medical consultant. Appropriate times to use Medical Consultants are:

- A. Eligibility determination
- B. Plan development
- C. All medical restoration services (*required*)
- D. Whenever you have a question about an individual's treatment, medications, or condition including such issues as the natural course of the disease or the most appropriate treatments.

Most IDVR offices have a medical consultant on contract that will visit on a regularly scheduled basis. A Chief Medical Consultant is on contract in order to be available in person, by phone, or electronically if you do not have a consultant or if your consultant is not available. IDVR encourages the utilization of medical consultation time in a group setting to maximize the consultant's time and to allow for an educational opportunity for VR counselors. New counselors are advised to use consultation time for most cases to become familiar with the medical aspects of disability.

When presenting a case file to the medical consultant, be prepared to:

- A. File medical information in chronological order with the most recent on top
- B. Highlight or tab important information
- C. Eliminate duplicate data
- D. Prepare a short case presentation: i.e.; age, sex, marital status, medical conditions, medications, support systems, treatments, names of treating physicians
- E. List questions for the medical consultant
- F. Use the medical consultation form
- G. Follow up on consultant suggestions
- H. Re-present the case when new information has been received.

Medical Consultant Review Form

Name: _____

Diagnosis(es):

Is additional medical/psychological information needed for employment? Yes ☐ No ☐

If yes, describe:

Describe disability(ies): ☐ chronic ☐ acute
☐ stable ☐ progressive
☐ mild ☐ moderate ☐ severe

Prognosis:

Functional limitations:

Does client need medical/psychological care program for employment? Yes ☐ No ☐

If yes, describe:

Comments:

Medical Consultant: _____ Date: _____

State Medical Consultant: _____ Date: _____

SECTION 8.0 PARTICIPATION OF INDIVIDUALS IN COST OF SERVICES BASED ON FINANCIAL NEED

In order to obtain maximum commitment toward his/her rehabilitation program, and to conserve case service funds, each participant is to be encouraged to participate in the cost of any purchased service. Idaho Division of Vocational Rehabilitation (IDVR) will assess an individual's economic need prior to paying for services. There are two categories of services; those based upon economic need and those not based upon economic need (see lists below). For services that are based on economic need, the economic circumstances of the participant's family unit must be assessed and the ability to participate in the cost of rehabilitation services determined, prior to IDVR paying for any of these services. A Financial Needs Assessment (FNA) (Gemini 12) should be completed with the consumer on an annual basis as part of the yearly Individual Plan of Employment (IPE) Review.

VR staff needs to be aware of and emphasize to participants that substantial services can be provided at no cost. **Remember:** *If a person does not qualify for financial assistance from IDVR, there still can be a variety of substantial services provided by IDVR. Counseling and guidance, as well as coordination of services are substantial and vital services that do not require VR expenditures.*

If the individual does not qualify for financial assistance based upon the economic needs assessment s/he must pay all or part of any service based upon documented economic capacity.

All comparable benefits available to the participant must be utilized. In the case of post secondary education; a copy of the Student Aid Award Letter Report (SAR) must be in the case record and used as documentation of resources and need *prior to implementation of an IPE.*

GENERAL INSTRUCTIONS

The service delivery team (participant and VR counselor as well as significant others invited to participate by the individual) is responsible for determining the economic need for individual participants. Economic need should be tested, and the FNA form filled out during the assessment period and prior to the development of an (IPE). The following guidelines are to be used:

- A. All projected net income and liquid assets of the family unit should be considered. IDVR staff may require documentation of income or liquid assets if needed and as appropriate (copy of IRS 1040, pay stubs, Free Application for Financial Student Aid (FAFSA), SAR, etc.). Retirement accounts are not liquid. However, payments received in retirement, workers compensation payments; disability insurance payments, etc. are considered liquid income. Liquid assets can include:

- a. Money Market Funds



- b. Cash/ Savings/ Checking Accounts
 - c. Mutual Funds (not IRAs)
 - d. Preferred and Common Stocks
 - e. Certificates of Deposit
 - f. Treasury Bills
 - g. Trust Funds
 - h. Permanent Fund Dividend
 - i. Workers Compensation, Maintenance and Care, or Personal Injury Settlements
 - j. Child Support or Alimony
 - k. Annual Corporation Dividends
 - l. Survivors Benefits
 - m. Any other source of liquid assets
- B. The family unit includes the participant, dependents or others who contribute economically to the family unit.
- C. A dependent is anyone reported as such to the IRS, or up to age 24 for students in post-secondary education or training, or as determined through the federal student financial assistance program as reported through the FAFSA and noted on the SAR.
- D. If the participant is a dependent of the family unit the entire income of the family unit should be considered, or a justifiable reason explained in the case record.
- E. If the participant is eligible for any form of Public Assistance - Temporary Assistance for Families in Idaho (TAFI), Aid for the Aged, Blind and Disabled (AABD), Supplemental Security Income (SSI), Dual recipients of SSI and SSDI, - *s/he may be considered to qualify for financial assistance based on economic need and be exempt from the mandate to participate in an FNA review..*
- F. Social Security Disability Insurance (SSDI).
- G. It should be made clear to the participant that it is his/her responsibility to notify the agency any time there is a substantial change that may affect economic need status. An annual review of financial need is to be completed when the IPE is reviewed. A new form is to be completed if there is a substantial change in personal resources or at least every year.

Instructions for completing the form to determine economic need are as follows:

1. **Monthly Income** –VR counselor and individual should complete the FNA for up to 12 months (depending upon the anticipated length of the services). List the net monthly take home pay (wages) for the participant. *Any consistent monthly payments* coming into the



household via other members of the household, such as SSI, SSDI, TAFI must also be listed. VA benefits, unemployment benefits, workman's compensation, retirement, private disability, child support, etc. must also be documented. (On the FNA Gemini 12 form, circle types of income and write in monthly amounts. Add all amounts together to get Monthly Income).

2. **Available Resources** – These are items that have cash or loan value that can be used toward the rehabilitation plan. Examples of such resources include: savings, stocks and bonds, IRA's investment real estate, second homes, recreational vehicles (snowmobiles, campers, four-wheelers) investment items (jewelry, guns, art) additional cars not required for the participant or other specific members of the household in order to sustain employment. *When totaling up these available resources, IDVR will allow a \$5000 exclusion.* Add all Available Resources, subtract the \$5000 exclusion and then divide the remainder by the number of months in plan. Add this amount to the "Monthly Income" above to get the "Total Monthly Income". (If the number with exclusion is less than 0, put 0.)
3. **Monthly Expenses** – Housing (actual cost) including mortgage, rent trailer space, taxes and insurance for primary residence. Utilities (actual cost within the range of \$100-\$300 per month) including heat, electricity, sewer, trash, water, phone, (cell phone if *only* phone). If the individual's estimated utility costs are higher then outlined above, the VR counselor should ask for receipts for documentation. *Remember* to always subtract any energy assistance subsidy that may be available. Food (actual cost, up to \$150 for one person, with \$100 for each additional person) includes non-food grocery items. If participant's costs are higher because of a special diet prescribed by a doctor, or other reason, the VRC should ask for documentation and receipts. *Remember* to always subtract food stamps/subsidy amount. Miscellaneous expenses including gas, bus tickets, car payments, insurance, medications, medical expenses, clothing, child support, credit cards must also be calculated into "Monthly Expenses". *Remember* to calculate *only the minimum monthly payment* required for credit card obligations. Do not calculate the total amount owed for credit cards or other expenses unless those amounts must be paid during the time period established for the rehabilitation plan. *Remember that the taxpayer should not subsidize "choice item" costs*, so don't list them as allowable expenses on the FNA. Examples include: second homes, boats, recreational vehicles, tithing, music lessons, animals, cell phones (if not primary telephone) cable TV, etc.
4. **Total Monthly Budget Surplus or Deficit** - After calculating the total income, and total allowable expenses monthly, subtract the expenses from the income. The result will reflect the "Total Monthly Budget Surplus or Deficit".

If the participant has excess or additional resources after subtracting the deductions from the total resources, s/he must apply the excess resources to the cost of the IPE before any financial assistance for services based upon

economic need can be provided by IDVR. If no resources are available after this calculation the participant does qualify for financial assistance.

If the participant qualifies for financial assistance any service can be paid for by IDVR, as appropriate, utilizing all available comparable benefits.

- H. Comparable benefits should be used to the maximum extent whether the participant qualifies for financial assistance or not. (See Sections 1.4.1/ or 11.1 for definition).

If the participant does not qualify for financial assistance the amount that is available must be applied toward the costs of the IPE. When these payments are made is open to negotiation. For example: If a participant has \$2000 available it is reasonable for the individual to pay for an expense over time, such as transportation or books/supplies while IDVR pays for tuition during the same time period. If, however, the participant has a small amount available, it is reasonable to expect the individual to pay the entire cost of some items at the beginning of the plan, such as books or tuition for one semester.

It is expected that payment is made by the individual to the vendor directly. IDVR may request a receipt as appropriate. The negotiated method and time frame for contribution of their share of the costs can and should be spelled out on the IPE.

If a participant has a significant amount available, such that IDVR is not paying for any of the services, the participant can still be served through assessment for eligibility and rehabilitation needs, counseling and guidance, coordination of services and job development/placement.

Services not Based on Economic Need (do not require FNA justification)

The following services may be provided without considering economic need:

- A. Counseling, guidance and referral.
- B. Diagnostic and related services to determine eligibility and services necessary to determine the nature and scope of the IPE.
- C. On-the-job training.
- D. Community assessment and work adjustment.
- E. Job site development and placement and follow-along.
- F. Assistive Technology Services.
- G. Community Supported Employment (CSE).

H. Interpreters, Personal Care Services, Reader Services.

Services Based on Economic Need (do require FNA justification)

The following services may not be provided until economic need has been determined. If the participant does not qualify as having an economic need, these services cannot be authorized until their portion of the service is paid. If these services are developed as part of an IPE, the participant and/or family must pay them to the extent of their available resources, or use a comparable benefit.

- A. All training (except OJT)
- B. Maintenance (including clothing)
- C. Transportation
- D. Books and training supplies
- E. Tools, equipment (including computers) and supplies
- F. Physical or mental restoration services
- G. Initial stock and supplies for self-employment
- H. Assistive Technology Services (including home and vehicle modification – See Section 12.4.3 & 12.14.4)
- I. Medical care for an acute condition (inter-current illness)
- J. Services to family members
- K. Occupational licenses
- L. Any other goods or services

PURPOSE OF FNA: To determine the level of financial participation the individual will be able to assume in his/her IPE. In addition, the assessment is used as a:

- Counseling Tool
- Effective resource utilization
- Career planning
- Consistency of service provision statewide
- Counselor/participant accountability

The FNA can be used as a counseling tool for **all** participants:

- For counseling related to the participant's level of debt and money management skills.
- eg. Should the participant be referred to professional consumer credit counseling agency?
- For career planning to determine the individual's current financial status, and ability to participate in rehab plan.
- eg. Does the participant need to go to work immediately? Can the individual afford to attend a one, two or four year training program? How will the participant and family survive economically while attending training program?
- To determine the individual's economic needs, then seeking employment with wage that will meet those needs.
- eg. What hourly wage does the participant need to earn? Does the participant need to work 40 hours per week or less? Does the participant need to purchase health insurance?
- To determine the amount of individual's participation in paying for the costs of the rehabilitation plan. The individual needs to be encouraged to participate financially in the rehabilitation plan. Regardless of whether the participant has a budget surplus or deficit, ask how much the participant can contribute financially to the cost of rehabilitation plan. The individual needs to be vested in and committed to the success of his/her rehabilitation plan.
- Financial participation by family members should always be encouraged when developing an IPE. The family's income needs to be included on the FNA for individuals under the age of 18 years, claimed as a dependent on income tax, or are under legal guardianship. Married participants need to include their spouse's income on the FNA. If extended family member expenses are included in the FNA, then their income must also be included.

SECTION 9.0 PURCHASE OF SERVICES AND SUPPLIES FOR PARTICIPANT USE IN THE VOCATIONAL REHABILITATION PROGRAM

The Rehabilitation Act of 1973, as amended, and its implementing regulations mandate procedures in the provision of services and methods of procurement. Individuals with a disability served through the vocational rehabilitation program must be actively involved in choosing the vocational rehabilitation services they receive and the entities providing those services.

Procurement authority is granted to VR counselors by the Chief of Field Services with the recommendation of their Regional Manager following a period of training and probation.

Consistent with procurement guidelines, a VR counselor cannot obligate Idaho Division of Vocational Rehabilitation (IDVR) to services that exceed his/her procurement authority. An Individual Plan of Employment (IPE) that will include a service generating an Authorization for Case Service (ACS) over \$5000 will require the Regional Manager's written approval on the IPE *prior to* the plan being approved. The rehabilitation counselor will inform the participant that the plan is pending approval during this process. An ACS purchase cannot be fragmented into multiple ACS's as a way to circumvent this approval.

All purchases in excess of \$5,000 shall be reviewed and recommended by the Regional Manager.

NOTE: *Case service expenditures require written authorization prior to the initiation of the service or the purchase of any equipment. Oral authorizations are permitted in emergency situations by the Regional Manager or designee, but must be confirmed promptly in writing and forwarded to the provider. Authorizations are to be issued within three (3) days of the beginning of the service.*

The following principles shall guide participant purchases:

- A. The IPE is the primary document that determines the scope, duration and provider of services. The individual with a disability must agree to the terms and conditions of the IPE prior to services being provided.
- B. VR counselors are required to determine the rehabilitation needs of the individual first, and then determine the provider and the procurement method. Costs, availability, success and experience providing the service and participant research are characteristics that guide the choice of the provider.
- C. The method of procurement is also determined in partnership with the individual. The agency prefers that a state Authorization for Case Services (ACS) be



provided to the selected vendor, with an invoice from the vendor documenting the service provision. Other methods are available, given the informed choice of the individual, including reimbursement.

- D. The provision of services must be consistent with the unique strengths, resources, priorities, concerns, abilities, capabilities and informed choice of the individual.
- E. All purchased services that are evaluative and restorative shall be authorized prior to the provision of services. The agency will reimburse providers of medical services (both medical and psychological) based upon usual and customary fees for their area of specialization or based upon payment caps that have been imposed for specific services (Review Payment Policy – Section 12.2). Providers will be reimbursed at this rate independent of the participant attending the scheduled appointment.
- F. Staff will ensure fair and equitable treatment of all persons doing business with the Division.
- G. Purchases will be made consistent with the elimination and prevention of discrimination due to race, religion, color, national origin, sex, age, and disability.
- H. The responsibility for authorizing services and approving payment of those services must be assigned to separate employees. In small, sub-offices offices this control may be waived.
- I. The record of services of the individual shall contain necessary evidence and documentation of adherence to these principles.
- J. Regional Managers are the Division's field service procurement liaisons and are responsible to ensure that staff have necessary training.

SECTION 10.0 INDIVIDUALIZED PLAN FOR EMPLOYMENT (IPE)

10.1 Options for Developing the IPE

The eligible individual or, as appropriate, the individual's representative may develop all or part of the IPE:

- A. Without the assistance from Idaho Division of Vocational Rehabilitation (IDVR) or any other entity OR
- B. With assistance from:
 - a. A qualified vocational rehabilitation counselor employed by IDVR
 - b. A qualified vocational rehabilitation counselor who is not employed by IDVR
 - c. Other resources

The IPE must be agreed to and signed by the individual or, as appropriate, the individual's representative, the VR counselor and, when required, the IDVR Regional Manager.

A counseling relationship and partnership is developed between the VR counselor and the eligible individual, where options are explored and where implications of decisions are identified. It is within this partnership that the VR counselor provides support tailored to the needs of the individual, as identified in the assessment process, so s/he may make informed choices that result in successful employment. In the development of the IPE, the individual will be encouraged to make decisions based upon relevant information available. In addition, the responsibility to make decisions based upon related laws, regulations and public policy is also a requirement of the partnership between the VR counselor and the individual with a disability.

Individuals must receive the supports that will assist them in making informed choices. This is especially important for individuals with cognitive or other disabilities who require assistance in exercising informed choice.

Individuals shall promptly receive a copy of their IPE and any subsequent revisions. Copies shall be provided in the native language of the individual or through appropriate modes of communication.

The record of services must support the selection of the specific employment outcome, the objectives of the IPE and the selection of providers of services. VR goods and services may only be provided in accordance with the IPE.

It is imperative that the individual fully understand that employment means:

- a. Entering or retaining full-time, or if appropriate, part-time competitive employment in the integrated labor market, including self-employment, telecommuting or small business ownership.



- b. Community Supported Employment (CSE).

IDVR must:

- a. Reinforce the ultimate purpose of the IPE: To assist the individual to prepare for, secure, retain or regain employment.
- b. Insure that the individual fully understands that s/he must participate as an active and cooperative partner in the identification and selection of an informed vocational choice with a reasonable expectation for marketable success.
- c. Insure that the individual fully commits to participate in the implementation and completion of the IPE.

10.2 Ticket To Work

The VR Counselor/VRA must verify whether a participant receiving SSA benefits is eligible for a Ticket to Work, which can be utilized at the individual's option for vocationally-related services through a variety of vendors including IDVR. In order for IDVR to be eligible to request reimbursement at a later date for services provided that result in a successful employment outcome, the counselor or VRA must acquire the Ticket concurrently with the development of the initial IPE and complete the assignment of the Ticket to the agency as verified within the Ticket to Work Gemini module.

Once the Ticket to Work Gemini module is completed, it is printed and a participant signature is secured. The document is subsequently faxed (703-683-3289) to Maximus, the SSA contractee that administers the program. Maximus then sends to Central Office a letter verifying the start date for the Ticket assignment. The original letter is sent to the appropriate field office for filing within the case.

At Closure "Other", the VR Counselor/VRA will go to Gemini "Reports" – "Participant Letters" and select the "Unassignment of Ticket to Work" letter, print and complete it and then fax the document to Maximus.

At "Successful Closure", there is no requirement to contact Maximus. The Fiscal Unit at Central Office will monitor those cases that have achieved a "Substantial Gainful Activity" level of employment for 9 months and will subsequently submit employment verification to the appropriate region for verification of sustained successful employment. Once the verification is returned from the field with verified employment a service reimbursement request will be submitted to SSA.

10.3 Annual Review

The IPE must be reviewed annually by a qualified VR counselor and the individual to assess the eligible individual's progress in achieving the identified employment outcome.

10.4 The IPE must include the following:



- A. Using the information from the Comprehensive Assessment (Section 7.2) the VR counselor and individual must determine a specific employment outcome consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, career interests and informed choice. In concert with the individual, the VR counselor must conduct a thorough market analysis to include job outlook and the individual's economic expectations and needs. *The goal is for the individual to become self-sufficient and self-supporting, if possible and the provision of planned services on the IPE should only entail those required to achieve the targeted vocational goal.*
- B. The specific rehabilitation services needed to achieve the employment outcome along with the projected dates for initiation and anticipated duration of each service, including:
- a. As appropriate, assistive technology devices, assistive technology services and personal assistance services including training in the management of those services;
 - b. As provided in the most integrated setting that is appropriate for the services and is consistent with the informed choice of the eligible individual;
 - c. Timelines for the achievement of the employment outcome and for the initiation of services;
 - d. A description of the entity or entities chosen by the eligible individual or, as appropriate, the individual's representative that will provide the vocational rehabilitation services and the methods to procure those services;
 - e. A description of the criteria ("Plan Documentation") that will be used to evaluate progress toward achievement of the employment outcome;
 - f. The terms and conditions of the IPE, will include information describing the responsibilities of IDVR and the individual to achieve the employment outcome;
 - g. The extent of the individual's participation in paying for the costs of services;
 - h. The individual is required to apply for and secure comparable services and benefits when available. The responsibilities of other comparable service and benefit entities will be listed on the IPE;
 - i. As necessary, the expected need for post-employment services prior to the point of successful closure (Review Post-Employment - Section 12.13);
 - j. A description of the terms, conditions, and duration of the provision of post-employment services;
 - k. If appropriate, a statement of how post-employment services will be provided or arranged through other entities as the result of arrangements made pursuant to

comparable services or benefits;

- I. Supported Employment - for individuals with the most severe disabilities for whom a vocational objective of supported employment has been determined appropriate, the following must be addressed:
 - i. a description of time-limited services to be provided by IDVR not to exceed 18 months in duration, unless under special circumstances, the eligible individual and the VR counselor jointly agree to extend the time to achieve the employment outcome;
 - ii. a description of an identified source of funding for the extended services needed (long-term support). If it is not possible to identify the source of such funding, a statement that there is a reasonable expectation that extended services will be available. *Extended services are provided by a State agency, a private nonprofit organization, employer, or other appropriate resource, from funds other than IDVR.*
 - iii. a description that the employment is competitive and available in an integrated setting. Verification of a “minimum wage” (State of Idaho Minimum Hourly Wage) must be documented.
- m. In developing an IPE for a student with a disability, the IPE shall be prepared in coordination with the appropriate educational agency and will consider the student’s Individual Educational Plan (IEP) if one exists;
- n. The current IPE will be reviewed with the individual as often as necessary but at least annually to assess the individual’s progress in meeting the objectives on the IPE.
- o. Completion of the IPE for all School-Work transition participants *before they exit the school system.*

NOTE: *Because of the capability of the Gemini Case Management tool, with the ability to clone plans, write new plans, edit features and delete completed services, there will be only **one active plan**, which is the current plan with all current services reflected on it. When the current plan is signed and approved by the individual and approving authority (counselor or supervisor) all previous plans will become void and only the signature pages of those previous plans should be retained in the hard copy file.*

10.3.1 Implementation of the IPE

Assurance that the IPE is developed and implemented in a timely manner, within 6 months of the eligibility decision. *An exception may be made and must be documented in a case note, if this timeframe will be exceeded due to the needs of the individual participant.* Documentation should include participant readiness, availability, inability to complete a comprehensive assessment, as well as unforeseen delays outside the control of the individual, VR counselor, or Regional Manager.



10.5 Plan Features in Gemini

New Plan: A new plan is completed when an original plan is initiated or the nature of the IPE is changed. This would occur when a new vocational goal is chosen and there are major changes in the planned services. Remember: with the development of a new plan the VR counselor and participant will need to include all needed services and complete all the pertinent comparable benefit documentation outlined in Section 11.3.

Clone: The clone feature is to be used when the basic nature of the plan is going to remain the same. This feature brings forward a full copy of the previous IPE and allows the VR counselor and participant to add new services. New services will be given new service numbers when they are added to the clone. It is important to add new services before deleting previous services from the plan that have been completed or expired. This keeps service numbers 1-2-3... in numerical order and allows for subsequent services to be numbered appropriately. Justification for the new services must be documented in the comments section of the Plan sub-page. If the *goal is changed without the need to modify services*, the IPE can be cloned. Change the goal and update the comprehensive assessment in a case note to justify vocational change. When adding new or expanded services to a clone, *always update the justification in the "documentation" box*. It is not necessary to clone the plan each time the price of a service outlined on a plan increases. This can be accommodated through the authorization showing the increased costs.

Edit: The edit function may only be used to change a vendor or to edit the documentation on a previously signed and approved plan. The edit function is not to be used to add a new service to an existing plan. The edit function may be used prior to closure to insure that the employment outcome on the last plan is in the same or related field as the employment outcome at closure since this is a federal requirement. When editing the employment outcome, it is essential that the VR counselor document how the substantial services provided on the edited IPE support the final employment outcome and that the participant fully agree with the modified goal. All VR counselors and support staff can edit plans since edits do not require signatures.

SUMMARY:

NEW Plan: is always implemented for a new vocational goal when major changes in services are necessary.

CLONED Plan: is implemented when new services are added or additional services are needed to fulfill the objectives of a previous plan. A clone may also be implemented when the vocational goal is modified without changing the planned services.

EDIT: is used to change a vendor or edit the documentation on a previously signed and approved plan.



Plan Approval Authority: VR counselors 1 and 2 who have not been given permission to sign their own plans will continue to require Regional Managers (RM) approval for all plans. RMs can, at their discretion, delegate this function to an Assistant Regional Manager (ARM) or other senior counselors 2 or 3.

10.6 “4x 4” Service Policy:

Revisions shall be completed when a significant change occurs in the IPE. Revised IPEs (clones or new plans) shall be in writing and shall not take effect until agreed to and signed by the individual. The IPE is amended as necessary by the individual and the VR counselor if there is a substantial change in the employment outcome, VR services or providers of VR services. *Amendments are not necessary, however, under the following very limited and specific circumstances:*

1. The additional service *must not exceed \$400.*
2. The additional service *must not exceed four months in duration.*
3. The employment goal *must remain the same* as on the previously written plan.
4. The *additional service* will be provided on a *one-time basis per case*. This restriction is intended to prevent the ongoing provision of a specific service, e.g., transportation, beyond the four-month time limit or \$400 maximum allowance.
5. It is imperative that a *Case Note* be completed to document that the individual is in full agreement with the provision of the additional service provided by this protocol in order to show full awareness and agreement by the individual

Note: *VR counselors who currently do not have permission to sign plans will be exempt from participating in this protocol.*

Through the implementation of this policy, the VR counselor can continue to provide services in a seamless manner without having to interrupt a program by preparing and implementing an IPE for services with a minimal associated cost that are intended to support an ongoing vocational goal.

SECTION 11.0 COMPARABLE SERVICES AND BENEFITS

11.1 Comparable Services and Benefits

Each eligible individual will be required to review with the VR counselor all potential comparable benefits that may be available prior to the development of the Individual Plan of Employment (IPE). If comparable benefits and services are available, they *MUST* be utilized to meet, in whole or in part, the cost of vocational rehabilitation services. Comparable benefits and services should be utilized before Idaho Division of Vocational Rehabilitation (IDVR) agency funds are expended.

The definition of Comparable Benefits and Services is any benefit or service that exists under any program that is available to the participant during the duration of the IPE and which can be directly applied to the individual's progress toward the achievement of the employment outcome.

Federal regulations require that VR and the participant must utilize all comparable benefits or services. This means that the individual must apply for any comparable benefit or service that could be available during the time sequence outlined in the IPE.

The utilization of comparable services and benefits does not apply in the following situations:

- A. If the determination of the availability would delay the provision of vocational rehabilitation to any individual who is at extreme medical risk. A determination of extreme medical risk shall be based upon medical documentation provided by an appropriate licensed medical professional and means a risk of substantially increasing functional impairment or risk of death if medical services are not provided expeditiously. It is strongly recommended that such cases receive medical consultation review whenever possible.
- B. If an immediate job placement would be lost due to a delay in the provision of comparable benefits.

11.2 Comparable Services and Benefits Exceptions

The following categories of service are exceptions to the requirement that comparable services and benefits be utilized:

- A. Medical, psychological or other examination to determine eligibility.
- B. IDVR counseling, guidance, information and referral and IDVR placement services.
- C. Evaluation of vocational rehabilitation potential.



- D. Rehabilitation technology, including telecommunications, sensory, and other technological aids and devices (see Section 12.14 for exceptions)

11.3 Timeliness of Comparable Benefits

If a comparable benefit exists, but is not available to the individual at the time needed to satisfy the rehabilitation objectives of the IPE, IDVR may provide the services until the comparable benefits become available. For example: In a post secondary education plan, IDVR may provide the first semester costs only in those circumstances where the comparable benefit such as the Pell Grant has yet to be determined in spite of appropriate Financial Assistance (FAFSA) preparation in advance by the individual. *Subsequent semester costs will only be authorized upon receipt and consideration of the full FAFSA award(s).* An IPE should reflect this exception. *A copy of the financial award or denial letter should always be placed in the individual's file before any authorizations are issued. If the financial aid has been determined but has not arrived at the institution, the individual should pursue a short-term loan to cover costs until the financial aid is received. VR should not pay for tuition if the individual has been verified as eligible for a financial grant.*

IDVR requires individual's to apply for Federal Financial Aid (Pell Grant, Supplemental Educational Opportunity Grant (SEOG) State Incentive Grant (SSIG) Leveraging Educational Assistance Partnership (LEAP) Grant and other grants) that are designed to pay for training costs, i.e., tuition fees, books and supplies, tools, etc. at any institution of higher education. VR cannot pay for such training costs unless maximum effort has been made to secure grant assistance. **This means that the individual must make repayment arrangements if s/he has previously defaulted on a loan and owes a refund on a grant before IDVR will support a training program where financial aid is available.**

SECTION 12.0 VOCATIONAL REHABILITATION SERVICES

12.1 Guiding Principles of Informed Choice

- A. All people with disabilities can achieve competitive, high quality employment in an integrated setting and can live full productive lives.
- B. People with disabilities often experience major barriers related to the low expectations of, and misunderstandings toward, people with disabilities that exists within society, within the persons with disabilities themselves, and sometimes, within our own rehabilitation system.
- C. People with disabilities should have responsibility and accountability to make their own choices about their lives; the kind of employment they want to pursue, who they want to provide services for them as well as the kind of services they need.
- D. The primary purpose and role of the public rehabilitation system is to empower individuals with disabilities by providing them with information, education, training, and confidence, in order that they will make the right choices responsibly if appropriately informed. It is also the purpose of the public rehabilitation system to support those choices when they are based upon reasonable and verifiable premises.
- E. The most effective rehabilitation occurs when there are true partnerships between the federal and state partners, state agency providers, community providers and employers, the disability community, all other partners, and the consumer.

The ultimate goal is to provide participants with skills, tools and information to aid in their vocational discovery process and to initiate informed choices when creating their Individual Plan for Employment (IPE) with the Vocational Rehabilitation Counselor (VRC).

Many tools exist to assist the participant and the counselor to identify inherent strengths, interest, aptitudes and transferable skills such as:

- A. Comprehensive Guidance and Counseling provided by the agency.
- B. Job Seeking Skills workshops offered by the Department of Commerce and Labor or Community Rehabilitation Programs (CRPs).
- C. Vocational Evaluations provided by CRPs either “in-house or within the community.
- D. Community Based “job shadowing” experiences within the community.
- E. Career Interest Survey (CIS) studies as well as other computerized programs.

Developing the Vocational Goal:

In selecting a vocational goal, it is important that the participant is actively involved in all phases of this development. Much research has been done to substantiate that the successful outcome of vocational rehabilitation increases when the participant is involved in every phase of the vocational planning. Vocational planning is built around vocational exploration, understanding the participant's medical and work history, his/her perception of disability, social habits, functional limitations, inherent aptitudes and transferable skills, vocational exploration through vocational evaluation, training options, and labor market research. The participant will explore the relationship of vocational objectives around his or her personal capabilities, interest, and situations and then attempt to understand the way these different factors impact and influence vocational potential. This information then helps the participant to develop the steps to a solid rehabilitation plan, and provides tools for the participant to assess his/her current state of mind and to encourage positive self initiated resolutions.

12.2 Agency Payment Policy

NOTE: Many of the services listed below include *maximum agency contributions*. This section outlines in detail the payment policy of Idaho Division of Vocational Rehabilitation (IDVR) in regard to specific services. It is the policy of IDVR to pay usual, customary and reasonable charges for services provided to its participants by providers of goods and services except for the following list. An "Exception Policy" clause is attached at the completion of this list explaining that the payment caps established may, on occasion, be exceeded for geographical or other considerations.

It is important to emphasize that IDVR is not obligated to pay the total cost of services required to ensure that a participant achieves an employment outcome. The individual is always strongly encouraged as well as responsible for the pursuit and identification of comparable benefits. Personal participation in the payment of some portion of the costs of a vocational plan may be required based upon the particular service selected as well as the identification of personal resources that could be applied toward the cost of the targeted services.

Rates of Payment:

These fees are established in accordance with federal guidelines that permit an agency to establish fee limits for services designed to ensure a reasonable cost to the program for each service.

Whenever possible, a competitive process will be used to achieve a reasonable price. Idaho is a low bid State; therefore, the lowest bid will then be the maximum amount IDVR will contribute to the purchase of goods or services. The Payment Policy will determine the maximum that IDVR will contribute to the purchase. For items not included in the payment policy, the usual, customary and reasonable rate will be used



for the service, not to exceed the rate charged other public agencies. The service that will meet the individual's need at the least cost to IDVR shall be the service purchased.

All decisions on cases, including fee for services, are determined on an individual case basis. The individual may choose his or her preferred vendor, but if s/he chooses a product or vendor that exceeds the maximum rate of payment established by the Payment Policy, the participant will be responsible for the excess amount.

Exceptions to Usual, Customary and Reasonable Charges:

1. **When training is being proposed for any institution that is eligible for PELL Grant funding**, the individual must complete the requisite application documents and receive a determination decision prior to any IDVR financial participation. Exceptions to this policy must be approved and reviewed by the Chief of Field Services.
2. **IDVR adheres to the same standards as the federal financial aid rate** (PELL and all other grants). For example:
 - a. VR Maximum per semester for full time (12+ credits) - \$1650
 - b. VR Maximum per semester for $\frac{3}{4}$ time (9-11 credits) - \$1237.50
 - c. VR Maximum per semester for $\frac{1}{2}$ time (6-8 credits) - \$825
3. **Idaho public in-state colleges**, vocational technical schools, universities, and other education and training Institutions' education expenses (fees and tuition, including health insurance fees) are established as follows:

Maximum:

\$1650 per semester x 2 per year (\$3300 max per federal fiscal year)

\$1100 per quarter x 3 per year (\$3300 max per federal fiscal year)

If the participant receives a Pell Grant, it must be applied first for tuition or fees. VR may pay the difference up to the \$3300 per year maximum.

These yearly maximums include summer school.

The following *Exceptions* must be reviewed and approved by the Regional Manager (RM) for VR Counselors 1, 2, & 3)

- a. VR may pay for summer school if it is a required part of a Vocational or Technical Program, e.g. Welding – 5 sessions per year.
- b. VR may pay for academic summer school if by attending the individual will be able to finish the final semester and not have to attend in the fall.



- c. VR may pay for summer school in exceptional cases where a disability-related reasonable accommodation is verified.

4. **Idaho private in-state colleges**, vocational technical schools, universities, and other education and training institutions, education expenses (fees and tuition, including health insurance fees) are established as follows:

Maximum:

VR may pay up to \$3300 per federal fiscal year for any in state training, public or private.

If the participant receives a Pell Grant, it must be applied first for tuition or fees. VR may pay the difference up to the \$3300 per year maximum.

5. **Out-of-state colleges**, universities, vocational technical schools and other education and training Institutions.

- a. If the participant must attend an out-of-state institution because the course of study is not offered within the state of Idaho then IDVR can pay the “usual and customary” charges for fees and tuition.
- b. If the course of study is offered in-state, but because of the additional costs caused by the accommodation for disability, it would be more cost effective for the agency to support the attendance of the individual at an out of state educational institute, then VR may pay the usual and customary tuition charges for the out of state educational institution.
- c. If the individual chooses to attend an out-of-state institution, when comparable training is clearly available in the state, then IDVR will only pay the Idaho in-state maximum cost (fees and tuition) currently established at:

Maximum:

\$1650 per semester x 2 per year (\$3300 max per federal fiscal year)

\$1100 per quarter x 3 per year (\$3300 max per federal fiscal year)

These yearly maximums include summer school.

These maximum fee allowances provided by IDVR apply to all training and educational costs including truck driving, cosmetology, short-term computer training, commercial airline pilot training, etc.

6. **Books Only**

Maximum:

\$300 per semester x 2 per year (\$600 maximum per federal fiscal year)

\$200 per quarter x 3 per year (\$600 maximum per federal fiscal year)

For Vo-Tech programs, where most of the books are required at the beginning of the



first semester, VR can issue for required books not to exceed \$600 per federal fiscal year.

These yearly maximums include summer school.

7. Medical exams with written report:

Specialist exam by M.D. - \$200 maximum, plus actual cost of related procedures (e.g. x-rays).

a. Psychological exam by Licensed Psychologist - \$200 maximum plus actual cost of psychometric tests.

b. Ophthalmologist/Optometrlist:

Maximum fees are established for general visual exam, accompanying test, frames and glasses. Tinted glasses require a prescription for IDVR payment. The specialist fee for an ophthalmologist will be authorized when diseases of the eye are present and cannot be dealt with by an optometrist.

Procedure	Fee
Visual Exam	\$85
Frames	\$85
Single Vision Lenses (per pair)	\$80
Bifocal Lenses (per pair)	\$100
Trifocal Lenses (per pair)	\$125

c. Audiologist exam - \$85 maximum

8. Physical exam (GBM) - \$65 maximum

9. Psychotherapy/Counseling Sessions: Maximum: 10 sessions

10. Medication:

Maximum: 3 months, while participant applies for reduced cost or fee medication programs provided by drug companies or other sources of comparable benefits.

11. Dental Work, including but not limited to cleaning, fillings, extractions, crowns, and dentures.

Maximum: \$500 per case

12. Hearing Aids:

Maximum: \$1,000 per hearing aid. Cost must include insurance for free replacements for one year.

13. Transportation:

- a. Public conveyance (bus, van) - actual cost.
- b. Private vehicle not to exceed \$60 maximum within a 20 mile radius in-town commuting, or \$200 maximum out-of-town commuting per month.

14. Car Repairs:

Maximum: \$300 per case (except for cost of reasonable accommodation for disability).

15. Maintenance:

Maintenance means monetary support provided to an individual for expenses, such as food, shelter, and clothing, that are in excess of the normal expenses of the individual and that are necessitated by the individual's participation in an assessment for determining eligibility and vocational rehabilitation needs or the individual's receipt of vocational rehabilitation services under an individualized plan for employment (IPE). (Ref: 34 CFR Part 361.5 (35).)

NOTE: Counselors cannot pay maintenance for those existing living costs that an individual would normally incur regardless of the individual's participation in a plan of vocational rehabilitation services.

Maximum: \$1,500 total per federal fiscal year. No single monthly amount to exceed \$500. No limit on number of months up to the \$1,500 maximum.

These maximums also apply to rent and room & board for post secondary education.

NOTE: If the individual receives SSI or SSDI, VR cannot provide maintenance for basic living expenses.

16. Copy Fees

Maximum: \$15 for copy of report.

17. Community Rehabilitation Programs (CRPs) (IDVR PM 2006-02)

- a. Maximum daily rate for in-house work evaluation, work adjustment \$66.25/day). (Exception: in-house evaluation may be paid at an hourly rate if reasonable justification, e.g. individual disability needs, delays in services).



- b. Maximum hourly rate for Community Based Work Evaluation (CBWE), Community Based Work Adjustment (CBWA), Placement & Follow Along (P&F), Job Seeking Development (JSD) and McCarron Dial evaluation - \$44.60/hour.

Services purchased from CRPs are not subject to the allowable maximum for training and educational expenses.

18. Tools & Equipment

Maximum: \$1,300 per case. Agency inventory tools and equipment will count towards the \$1,300 maximum. *The VR counselor must always negotiate in the best interest of the agency on cost of services and must get three bids, if vendors are available, on all durable equipment (reusable) valued at \$300 or more.*

Exception: If there is a change in employment outcome, the individual must return the original tools to VR. After the tools have been returned, then VR may purchase new tools up to the \$1,300 maximum for the new employment outcome.

NOTE: *A Property Agreement must be secured on all durable equipment or reusable supplies that exceed \$150 in value.*

19. On-The-Job (OJT) Fees

Maximum: \$3,000

- a. The VR counselor must negotiate OJT fees based on:

- 1. Employer's cost to train the individual
- 2. Level of technical skills required for job

- b. The Individualized Plan of Employment (IPE) and OJT Agreement (Gemini 15) must include:

- 1. Cost of training
- 2. Length of time (# of months)

VR counselors are strongly encouraged to negotiate a decreasing payment schedule with the employer.

To exceed the \$3,000 maximum, the VR counselor must consult with Regional Manager. (Please review additional information regarding OJT outlined in Section 12).

20. Computers including hardware and software:

Maximum: \$1,000 per case, except for disability-related reasonable accommodation.



Most post-secondary training institutions have computer labs available for student use and this is covered in the cost of tuition and fees.

21. Self-Employment Plans

Maximum IDVR financial support for supplemental self-employment plans: \$3,500

Any special circumstances on computers and tools on self-employment plans will be discussed with the appropriate Field Services Manager.

Please review self-employment policy, section 12.9 for full details regarding the IDVR agency policy.

22. Child Care: Maximum: \$300 per child per month.

Use the Health & Welfare Child Care Funding as a comparable benefit before expending VR funds. The VR counselor should carefully explore all comparable benefits that may be available including assistance from family and friends.

23. Kidney Services Only

Kidney services provided to individuals with ESRD will be the same for PSK participants and general VR participants with a diagnosis of ESRD. (See Section 14 Pure State Kidney – PSK)

24. Private/Commercial Pilot's License:

The Division does not assist with the procurement of a private pilot license since there is no occupational outcome associated with such licensure. The agency may assist with the acquisition of a commercial pilot license.

25. Advanced Degree:

IDVR may assist with an advanced degree, based upon the rehabilitation needs of the individual participant.

25. Typical exclusions from VR financial participation:

- a. Vehicular purchase; however, IDVR may assist to modify an already owned vehicle to make it accessible for the Individual's usage (e.g. hand controls, van conversions, and lift installation). (see section 12.19 "Reserve Fund")
 1. The cost of the modification cannot exceed the current Blue Book value of the vehicle.
 2. The individual must maintain insurance on the vehicle for replacement cost.
 3. VR encourages the use of loans from the Idaho Assistive Technology Project and Independent Living Centers.

- b. Securing a private pilot's license. (see #24 above)
- c. Organ transplantation, other than kidney transplants.
- d. Physical and Mental Restoration Services. Surgery may be provided if it is not the sole vocational rehabilitation service needed for the participant to return to work or to achieve an employment outcome.

IDVR will only cover the cost of surgery if it will substantially reduce functional limitations. It is highly practical and appropriate for the VR counselor to explore alternative employment opportunities with the individual that may negate the need for the corrective surgery. Such an alternative should accommodate the individual's functional restrictions and provide a level of income that would be comparable with potential earnings following a surgery. The participant should always explore in cooperation with the VR counselor a variety of options in order to be prepared to make an informed choice.

NOTE: *When physical restoration services for individuals who have a temporary disability, which will be eliminated by surgical care in an acute general hospital, is the only vocational rehabilitation service to be provided, and the condition is likely to be remedied by relatively routine medical intervention with no significant lasting effects, the RSA position is that such cases should be referred to other agencies. Such services should not be paid for under vocational rehabilitation auspices. – (RSA Position Paper, 3/28/80, Robert R. Humphreys, Commissioner of RSA)*

26. No Shows:

If an individual does not attend an appointment and doesn't cancel or reschedule, the individual will be responsible for payment of any charges - not VR.

If VR authorizes for an interpreter to be present and individual does not attend, VR will cover cost of the interpreter through administrative authorization.

Exception Policy:

The Rehabilitation Act of 1973, as amended, requires that IDVR have a policy that allows for exceptions to the Payment Policy, unless the exception would violate State or Federal laws. All exceptions will be reviewed on an individual case basis, and require approval by the appropriate Field Services Manager in charge of the zone from which the request originated.

Exception Process:

To be considered for an exception, the individual and VR counselor should first seek approval from the Regional Manager. The Regional Manager shall submit the request for the exception in writing to the Field Services Manager. The request must include:



1. A description of the requested exception.
2. Detailed reasons why the individual, VR counselor and manager believe the exception is warranted.

The Field Services Manager will have ten (10) days from the date of receipt of the request to make a decision. The VR counselor should be careful to explain to the participant prior to submission that just because s/he requests an exception does not guarantee that it will be approved. If the request is approved, written notification will be sent to the Regional Manager and this will be placed in the case file.

The Field Services Manager reserves the right to deny any request.

If a request for exception is denied, the individual must be informed of the reason why and of his/her right to appeal the decision within ten (10) days of notification of the denial.

Reasons for Exception:

The items listed below are not all inclusive, but do contain the major reasons that will be considered in determining if an exception to policy will be granted. Financial need alone is not always sufficient grounds for asking for an exception. While an individual may present one or more of these reasons for an exception, VR counselors should use discretion in requesting an exception. It is sometimes the nature and scope of the reason and not the number of reasons that may justify the exception.

1. The need is disability related.
2. The participant has used all sources available; including his/her own financial contribution, as well as all available Federal Financial Aid in post-secondary training situations, insurance, Medicaid, Medicare and other resources typically used by persons without disabilities.
3. Family issues such as legal separation, divorce or loss of income make resources unavailable.
4. Service is not available in certain geographical locations of the state within the Payment Policy maximums.

12.3 Counseling, Guidance, and Work-Related Placement Services for Individuals with Disabilities, including Rehabilitation Services that address Disability related Barriers to Employment, Job Search Assistance, Placement Assistance, Job Retention Services, and Follow-up

Idaho Division of Vocational Rehabilitation (IDVR) recognizes that vocational counseling and guidance is the key element in the rehabilitation process in that it is the method of involving the participant and significant others in that process. It begins when the individual contacts the agency and does not end until closure as successfully rehabilitated or through to the completion of the post-employment period.

Vocational counseling and guidance, including referral and placement, are essential VR services provided by the VR counselor throughout the rehabilitation process. This is the *primary service* in the VR plan.

Counseling, guidance and placement should be an integral part of every IPE regardless of other services because it is the best method of coordinating services and maintaining a good working relationship with the participant. This is also the medium used by the counselor to facilitate participant input. The VR counselor gathers the necessary information for providing vocational counseling and guidance services from a wide variety of sources, including, but not limited to:

- A. Medical and psychological information.
- B. Vocational evaluation information including labor market information, job analysis, aptitude and interest information, situational assessments and trial work experiences.
- C. Analysis of transferable skills.
- D. Rehabilitation technology, including rehabilitation engineering.

Counseling will address vocational and personal adjustment issues that are creating barriers to the participant obtaining and maintaining employment.

Counseling will be provided in a respectful manner encompassing the core conditions of helping. These will include unconditional positive regard, genuineness and congruence. Counselors will always maintain a professional demeanor and not allow counseling issues to become personal. Counselors are to follow the canons of ethical behavior and practice outlined by the Commission on Rehabilitation Counselor Certification (CRCC) Code of Ethics.

Counseling services must be provided in every case but will vary depending on the needs and complexities of each individual participant. Frequency of guidance and counseling contacts is determined at plan development and included on the IPE. Case notes will reflect contact and content of meetings. *A monthly summary of guidance*

and counseling activities is the agency “best practice” norm for recording progress.

12.4 Physical and Mental Restoration Services

These are services *necessary* to correct or to modify substantially a physical or mental condition of an individual that is stable or slowly progressive. *Before medical restoration is provided, there must be documentation that the clinical status of the individual is stable or slowly progressive and the service is a requirement for the individual’s successful employment.* The medical consultant shall review the record to insure the adequacy of medical information, advise on the service requirement, educate the counselor on the procedure and required follow-up, and provide any necessary liaison with the medical community.

Remember: IDVR may provide physical and mental restoration services, to the extent that financial aid is not available from a source such as personal health insurance or comparable services/benefits such as Medicaid or Medicare. (See Section 12.2, Subcategory #25 “Typical Exclusions” “e. Physical and Mental Restoration Services”).

Current maximum financial contributions by IDVR for *italicized services* can be found in the “Payment Policy” section 12.2 of the Manual. For all other services listed below, IDVR will pay the prevailing “Usual and Customary” charges after a comprehensive assessment of potential or available comparable benefits and resources has been conducted.

12.4.1 Concurrent Illness Service: Services necessary to assist with acute treatment or care for a condition arising during rehabilitation and constituting a barrier to achievement of an employment outcome. Comparable benefits will always be explored prior to authorization of this service. *The medical consultant should always be utilized to determine the medical rationale for such services.*

12.4.2 Prosthetics/Orthotic Devices: When the agency purchases an assistive technology device, such as hearing aides, prosthetic/orthotic equipment it is important that the counselor stipulate on the IPE the personal financial responsibility that the individual must assume for maintenance and future modification or replacement needs. Guidance should be provided in assisting the individual to understand the need for budgeting finances for that specific purpose.

12.5 Vocational and other training services, including:

12.5.1 Disability related services and on-the-job supports.

Disability related services – include, but are not limited to, orientation and mobility; rehabilitation technology; speech reading; sign language; and cognitive training/retaining.



On-the-job-supports – support services provided to an individual who has been placed in employment in order to stabilize the placement and enhance job retention. Such services include job coaching, follow-up and follow-along, and job retention services.

12.5.2 Post-Secondary Training - if comparable programs exist at both public and private schools, IDVR will pay a limited amount up to the amount of the tuition cap set for the public-supported program.

Post-Secondary training is provided when necessary to achieve an employment objective that reflects the individual's interests and informed choice to the extent that those factors are consistent with an individual's strengths, resources, priorities, concerns, capabilities and abilities. IDVR may support graduate study when the individual's employment objective is otherwise unachievable.

Prior to providing post-secondary training, comparable benefits shall be determined. The individual is required to complete and submit for processing the Free Application for Federal Student Assistance (FAFSA). The resulting Student Aid Report (SAR) and Financial Aid Award Letter will determine the federal grant awards available that are to be applied to tuition, books and fees. Proof of financial award status *is required to be placed* into the record of services for all individuals sponsored in post secondary education by IDVR. Examples of proof include the SAR, Financial Aid Award Letter or Post Secondary Institution Student Budget, Compromise and Release documents from Worker's Compensation.

All Federal (PELL, SEOG, SSIG, LEAP) and Native Corporation Grants are to be applied to tuition, books and fees as a 1st dollar source, prior to the consideration of expenditures of IDVR funds. Merit based funding may be applied to any legitimate college costs as determined by the individual, with no comparable benefit test required.

Shared funding will be negotiated with federal, state or local partner agencies (VA, WIA, Tribal Vocational Rehabilitation, Worker's Compensation, etc.) to carry out a joint vocational plan to provide services to individuals.

The FAFSA Expected Family Contribution, Student Contribution, Work Study and other grants must be considered in meeting the financial needs of the individual's post secondary education to the maximum extent possible.

Participants are required to make application for FAFSA whether or not they believe they are eligible for funding. *This process should occur along with the verification of determination of eligibility/ineligibility for financial aid prior to IDVR developing an Individualized Plan of Employment (IPE) and participating in financial assistance for a post-secondary education.*

12.5.3 Out of State Training

Out-of-State Colleges, Universities, Vocational Technical Schools and Other Education and Training Institutions.



- a. If the VR client must attend an out-of-state institution because the course of study is not offered within the state of Idaho then VR can pay the “usual and customary” charges for fees and tuition.
- b. If the course of study is offered in-state, but because of the additional costs caused by the accommodation for disability, it would be more cost effective for the agency to have the client attend the out of state educational institute, then VR may pay the usual and customary tuition charges for the out of state educational institution.

This must be addressed by the VRC in the interest of informed client choice in the initial vocational guidance and counseling.

- c. If the client chooses to attend an out-of-state institution when comparable training is clearly available in the state, then VR will only pay the Idaho in-state maximum cost (fees and tuition).

12.5.4 Advanced Degree

The Idaho Division of Vocational Rehabilitation may assist with an advanced degree, based on the rehabilitation needs of the individual client.

Progress Measures

Individuals must maintain a grade point average that meets the school’s academic requirements (minimum 2.5 GPA or “C” Average) and must demonstrate timely progress towards meeting the goal of the IPE. If the individual is placed on academic probation, s/he has one grading period in which to attain good standing. IDVR sponsorship will terminate after that grading period unless the individual achieves good standing.

If a participant does not pass a course(s) or withdraws following the designated drop period for the post secondary institution, s/he is responsible to cover costs to repeat the course(s). *This understanding should be documented on the IPE that supports the training services.*

If a participant takes an incomplete, s/he is responsible to complete the course(s) as designated by the institution and may be responsible to pay for the repeat of the course(s) *based upon whether or not active participation in the original coursework was demonstrated as agreed upon in the IPE. Disability-related interruptions will serve as justification for an incomplete, but should be carefully assessed to determine the feasibility of extending a particular program.* If a participant is unable to complete a course(s) due to a disability related issue, IDVR may assist in coordinating with the institution to resolve the matter (examples: finances, withdrawals, incompletes, etc.).

Expulsion from a post secondary program for academic dishonesty will result in IDVR sponsorship being terminated for continued post secondary education.



Loan Defaults

VR funds may not be utilized to pay for post secondary education if an individual has defaulted on a state or federal student loan. If a good faith effort is being made, as determined by the National Clearinghouse, VR funding may be available. The University or College Financial Aid office may be able to assist in unusual circumstances. Additional information can be obtained toll free from the Financial Aid Ombudsman office at 1-877-557-2572.

Loan Deferment

Consumers may be eligible for temporary suspension of loan payments during specific conditions such as returning to school, unemployment, disability or military service. Additional information may be sought through the Financial Aid Offices at the in-state universities.

12.5.5 Benefits Counseling - Services may include a profile of individual's benefit and employment status, analysis/consultation of the potential impact of employment alternative and use of work incentives on benefit status and consideration of available work incentives. All social security recipients should receive benefits counseling services.

12.5.6 On-the-job training (OJT) - On-the-job training requires the completion and signing of the IDVR OJT Agreement between the individual, counselor, and employer, which states the hourly wage, responsibility for Workers' Compensation coverage and any other conditions of employment. IDVR pays a training fee for OJT, not reimbursement of wages.

OJT AGREEMENT

Vocational Rehabilitation and _____ agree to the following contract
(employer)
for training of _____. Training will be directed toward employment goal of
(client)
_____.

1. VR will reimburse employer for training costs in the amount of \$_____ per month for _____ months or on a decreasing scale as follows: _____. OJT will begin _____.
2. If training ceases before training contract ends, payments will be made only for the actual time training is provided.
3. Progress reports will be completed monthly by the trainer/employer.
4. Satisfactory progress by the client will result in consideration for employment at completion of training.
5. Neither VR nor trainer/employer will discriminate on basis of sex, race, color, creed, home of national origin, age, disabling condition or veteran status.
6. This agreement may be terminated by notification at any time by either the trainer/employer or Vocational Rehabilitation.

Vocational Rehabilitation Counselor

Trainer/Employer

Date

Date



ON-THE-JOB TRAINING REVIEW

EMPLOYEE: _____ JOB TITLE: _____

DATE: _____

EMPLOYER: _____ WAGE: _____

Review Period: _____ to _____ (Check one box on each line)

Ability to do assigned work ☐ Exceptional ☐ Good ☐ Satisfactory ☐ Lacking ☐ Poor

Knowledge of work ☐ Exceptional ☐ Good ☐ Satisfactory ☐ Lacking ☐ Poor

Accuracy ☐ Exceptional ☐ Good ☐ Satisfactory ☐ Lacking ☐ Poor

Speed ☐ Exceptional ☐ Good ☐ Satisfactory ☐ Lacking ☐ Poor

Attitude toward work ☐ Exceptional ☐ Good ☐ Satisfactory ☐ Lacking ☐ Poor

Ability to learn ☐ Exceptional ☐ Good ☐ Satisfactory ☐ Lacking ☐ Poor

Initiative ☐ Exceptional ☐ Good ☐ Satisfactory ☐ Lacking ☐ Poor

Reliability ☐ Exceptional ☐ Good ☐ Satisfactory ☐ Lacking ☐ Poor

Conduct ☐ Exceptional ☐ Good ☐ Satisfactory ☐ Lacking ☐ Poor

Relation with other workers ☐ Exceptional ☐ Good ☐ Satisfactory ☐ Lacking ☐ Poor

Comments:

Signature and Title of person completing evaluation

Signature of Employee/Trainee

12.6 Job Placement of Participants

VR counselors should regularly visit employers to keep current with common business practices, employer expectations, essential functions, local trends, and opportunities for employment. Developing effective ongoing relationships with employers is essential to good planning and positive employment outcomes. VR Counselors can create a demand for individuals with disabilities by marketing specific business gains or advantages that can result from IDVR services.

Individuals who are able to conduct their own job search and placement activities should determine the level of involvement they desire from the VR Counselor. VR Counselors may be able to assist participants by teaching them skills in communication and presentation; as well as skills associated with gaining access to and using information. Introducing consumers to specific individuals/programs at job centers may be appropriate.

Some individuals may choose to seek employment through private employment/staffing agencies. Nationally, employers are increasingly obtaining both their temporary and permanent employees in this manner. In addition to placement services, these agencies may provide an assessment of the consumer's skill level or readiness for work. Employers generally pay the staffing agency fees. *Neither participants nor IDVR should pay fees to private employment agencies.*

12.6.1 Community Rehabilitation Providers (CRPs) may be used to identify or carve out positions for those individuals who cannot successfully compete in the open job market. When subcontracting this service, VR counselors must ensure that quality employment outcomes, as defined on the participant's IPE are being provided. The employment outcome should be consistent with the individual's unique strengths, resources, priorities, concerns, abilities, capabilities, interests, and be the informed choice of the individual. To the maximum extent appropriate, the job placement should be in an integrated setting. Potential employers contacted by the CRP should be informed of their contractual relationship with IDVR. Ideally, the VR Counselor should meet with the potential employer, preferably on the job site, to negotiate the actual placement and to describe the role of the CRP as related to the particular participant.

If services are contracted out to a CRP:

1. The participant and VR counselor will review the available list of CRP vendors and the services offered by each and will make a selection. This process should be noted as "consumer choice" when documenting the choice of the CRP vendor and services to be provided. The participant will sign an information release form authorizing communication between the selected vendor and IDVR.
2. The participant and VR counselor will contact the CRP to discuss required services, negotiate and agree upon time frames and costs.
3. The VR counselor will submit referral information (a fully completed referral form

outlining all pertinent medical/psychological data, any felony history, and functional restrictions) and authorization to the CRP.

4. The VR counselor will always maintain contact with the participant during referral to a CRP and while receiving services.
5. The individual, VR counselor and CRP will mutually agree upon frequency of contacts to monitor progress, quality and duration of services provided.
6. The VR counselor will maintain contact with the participant and employer at the job site either through personal contact or delegated contact by the vocational counselor assistant (VRA) unless the individual specifically requests that contact be maintained off the work site..

12.6.2 Worker's Compensation Liability

Employers should be educated with regard to the fact that a person eligible for vocational rehabilitation services under ID. Title 33, Chapter 23, Idaho Code and the Administrative Rules of IDVR, who is placed with an employer through the authorized services of a CRP for community-based evaluation, community-based work adjustment or community supported employment (CSE) training is covered for liability purposes through the Worker's Compensation Insurance carried by the CRP unless an actual participant has actually been hired by a targeted employer prior to the provision of authorized services.

12.7 Schedule A Appointing Authority in the Federal Government

5 CFR 213.3102 (t) (mental retardation), (u) (severe physical disabilities), and (gg) (psychiatric disabilities) are combined into one streamlined authority, 5 CFR 213.3102 (u). This authority is used to appoint persons who are certified that they are at a severe disadvantage in obtaining employment because of disrupted employment due to hospitalization or outpatient treatment for the severe disabilities listed above.

Appointment and Certification Process

This certification to the Federal Government is a significant determination. Prior to issuing the certification the counselor shall visit the proposed worksite. The purpose of the visit is to assess the participant's need for assistive technology, and other vocational rehabilitation services that will enhance the participant's success in federal employment. Close follow-up with both the participant and employer is absolutely essential during the initial months of job placement. Careful and thoughtful job match of participants to federal employment will increase the likelihood that the participant will maintain employment.

The Division of Vocational Rehabilitation will not contract for job placement services with a community service provider to complete any of the above activities related to certification of placement through a Schedule A appointment.



The certification CAN be accomplished in two steps. The first step is a letter from the state VR counselor certifying that the individual experiences a significant disability and is eligible for appointment under this appointment authority. This type of certification is sufficient for an applicant to be considered for any job.

The second certification is completed when a participant has been tentatively selected for the position. The second letter must state that the VR counselor has evaluated the job tasks and determined the applicant is able to perform the essential duties of the position. The letter also must state what reasonable accommodation, if any are sought.

The designated Federal Human Resource Manager and/or alternative hiring authority for all positions participants apply for will request the certification of the participants eligibly for special appointment.

The VR counselor is one of an expanded list of accepted entities who can certify job readiness for a federal job assignment. The certification is written in letter format and must verify that the applicant has a severe disability and is, therefore, eligible for this non-competitive appointment authority.

The following web link will provide further clarification regarding the Schedule A hiring authority as well as provide direct links to the Federal Register and the Office of Personnel Management (OPM):

http://www.opm.gov/disability/appointment_disabilities.asp

12.8 Alternative Hire Process for Employment with State Government

Within the IDAPA rules (15.04.01) of the Division of Human Resources and Idaho Personnel Commission exists the provisions and protocol entitled: 097 “Alternative Examination Process for Persons with Disabilities”. Under this rule:

1. The VR counselor determines the need for the Alternative Hire process by documenting that the participant cannot competitively compete for the job due to a disability(ies).
2. The VR counselor determines that the individual meets the criteria for the alternative hire program.
 - Disability limits one or more functional areas
 - The individual meets the qualifications of the class.
 - The individual lacks competitiveness in the normal hiring process due to disability.
3. Complete the Application for the Alternative Hire Program Form. Include a letter to DHR explaining why the participant cannot compete through the normal examination

process due to his/her disability. The examination process includes application, testing and interviewing.

4. Staff the case with the Regional Manager for approval. Subsequently forward the application to the VR Administrator for final approval.
5. IDVR Administrator approves/disapproves. If approved, the application will be forwarded to the Administrator of the Division of Human Resources for final review.
6. VR counselor proceeds with the alternative hiring process to the hiring authority.
7. After the individual is hired, the VR counselor will monitor progress on the job. If the placement is unsuccessful, the VR counselor will withdraw the individual from the job and develop another employment strategy if appropriate.

NOTE: The VR counselor will utilize the “Alternative Hire Application” and will follow the Alternative Hire Administrative Process (located under VR Intranet/Field Services/Other Forms).

12.9 Self-Employment Policy

Introduction:

The primary goal of the Idaho Division of Vocational Rehabilitation (IDVR) is to assist the participant in attaining a suitable competitive employment outcome that results in financial self-sufficiency. Self-Employment is one of the occupational options that may be considered to assist the participant in selecting a vocational goal.

The impediment created by the participant’s disability must be addressed in the overall comprehensive assessment leading up to Individualized Plan of Employment (IPE).

The successful self-employment enterprise is operated by a participant who can demonstrate an array of skills and abilities, including organization, business and financial management, marketing and other talents, as well as, knowledge and expertise in the goods or services being produced. It is essential that the participant is well informed of potential risks and that efforts are made to minimize those risks, to the greatest extent possible.

A vocational evaluation/career exploration may be used as a method of assisting the participant and VR counselor in deciding if self-employment is a possible viable option. Vocational evaluators have a variety of instruments, work samples, inventories and other strategies to use in providing feedback and information related to self-employment.

There may be a need for VR services prior to a commitment from IDVR on a self-employment plan. It could be appropriate for IDVR to assist an individual in services,



such as training needed for certain skills or business knowledge before the decision is made by the individual and counselor to pursue the development of a business plan.

IDVR values self-employment as a viable vocational outcome. Self-employment is presented by the VR counselor within the repertoire of vocational options and may be considered by participants and VR counselors as they work toward the development of an appropriate vocational goal.

Through initial exploration of personal and business feasibility assessment, participants and their VR counselors will be equipped to make an informed decision about self-employment as vocational goal. Through training, technical assistance, financial assistance, and post start-up monitoring, participants will have support necessary to become self-employed.

Definitions

For the purposes of this policy, the following definitions apply:

1. *Self-employment* - refers to an employment outcome in which an individual works in a business that s/he owns, operates, and manages with the intention of being profitable and becoming self-sufficient
2. *Supplemental Self-employment* – refers to an employment outcome in which an individual works in a business that s/he owns, operates, and manages with the intention of being profitable but only as a supplement to other sources of income including Social Security benefits
3. *Form of Organization* – refers to the way the individual legally organizes the business
 - a. *Sole Proprietorship* - one person who owns the business alone, but may have employees. S/he will have unlimited liability for all debts of the business, and the income or loss from the business will be reported on his or her personal income tax return along with all other income and expense s/he normally reports (although it will be on a separate schedule)
 - b. *Corporation* – requires a legal filing with the Internal Revenue Service for corporate status. Corporate organization provides limited liability for the investors. Shareholders in a corporation are obligated for the debts of the corporation; creditors can look only to the corporation's assets for payment. The corporation files its own tax return and pays taxes on its income.
 - Individuals who legally organize their businesses as a corporation, and are employed by their corporation may be eligible while in the start up phase of operations.
 - c. *General and Limited Partnerships* – two or more individuals, one of which is a participant of IDVR with the controlling share (see Eligibility).
 - d. *Limited Liability Company* - limited liability for all of its members (business partners), with the IDVR participant as the controlling member.

4. *Hobby* – individuals identifying business-related goals that indicate a business activity that is:
 - e. Operated for recreation and/or pleasure.
 - f. Not projected to be profitable.
 - g. Not seeking profitability.
 - h. Neither operating nor carrying on activity in a business-like manner.
 - i. Not depending on activity for livelihood.

Eligibility Requirements

Participation in self-employment or supplemental self-employment as a vocational goal requires that:

1. The business venture is, at a minimum, 51% owned, controlled and managed by the IDVR participant.
 - Businesses organized as Sole Proprietorships, Corporations, General and Limited Partnerships, and Limited Liability Companies, as noted in Definitions-Forms of Organization.
2. The business venture is considered legal in Idaho as defined by the Idaho Attorney General.
3. The business venture is accurately reported to appropriate government agencies. including the Internal Revenue Service and Idaho State Tax Commission or other states bordering Idaho.
4. The business venture is organized as a for-profit entity.

Role of IDVR:

When working with individuals expressing an interest in self-employment or supplemental self-employment, the primary role of IDVR is to:

- Provide relevant information regarding the availability of self-employment services supported by the agency.
- Assess the individual's disability as it relates to the self-employment goal.
- Reduce or eliminate barriers to self-employment created by the disability.
- Authorize for the provision of external technical assistance including, but not limited to, business feasibility, training, business planning, and post start-up monitoring.
- Assist in identifying resources for the capitalization of the business plan.

- Coordinate training and technical assistance services.
- Provide technical assistance as deemed appropriate at post start up of the business.
- Monitor business development at post start up.

Role of the Participant:

Exercising informed choice in the rehabilitation process has attendant responsibilities for the participant. These responsibilities include, but are not limited to:

- Determining the concept of the business.
- Participating in the assessment process.
- Exploring the feasibility of the business venture by conducting research and gathering information, in collaboration with the technical assistance provider, related to the business concept, market feasibility, and financial feasibility.
- Researching the availability of financial resources.
- Contributing financially to the capitalization of the business venture by utilizing all available financial resources available including microloans, commercial and consumer loans, loans from family, forgivable loans, equity grants, and personal property (inventory and equipment) essential to the operation of the business.
- Assisting in the identification of existing and potential barriers created by the disability.
- Developing skills and abilities necessary to operate and sustain the business venture.
- Business implementation and management.
- Providing regular financial documentation to the agency for post start up monitoring.
- Fulfilling participation in the business start up as noted in the Individualized Plan of Employment (IPE).

Self-Employment Process

The case record will reflect the following self-employment process:

1. Assessment of participant's Readiness for Considering Self-Employment and Supplemental Self-Employment, includes:
 - a. Evaluation of the individual's interests, skills, aptitudes and personal qualities as they relate to self-employment. This may include a) use of data gathering instruments, and b) formal vocational assessment to the degree necessary to ensure the individual has the basic skills necessary to operate and manage a small business.
 - b. The individual has attended the training session entitled "Exploring Entrepreneurship" to affirm advantages and disadvantages of business ownership, explore preparedness from a personal perspective, assess skills related to the business venture, and explain IDVR guidelines for receiving technical and financial assistance for business development.
 - c. Examination of the individual's financial goals related to self-employment or supplemental self-employment should include consideration of issues such as terminating government benefits, supplementing family income versus primary source of support, and earning sufficient funds to maintain competitive employment standards.
 - d. The individual's expectations relative to the financial support s/he anticipates/expects from IDVR should be discussed at the onset. It is important that the participant understands that *IDVR will not be the sole source of start up capitalization and that any funding allocated to the start up of the business will be consistent with IDVR policy related to financial participation.*
2. Assess the participant's disability as it relates to the self-employment goal:
 - a. Ensure the viability of self-employment as it relates to the individuals disability. This may require consultation with medical and/or psychological service providers that have been treating the individual. If clear information is not available reflecting the participant's ability to handle the physical, mental/emotional, and cognitive aspects of the business venture, additional assessments, such as a functional capacity evaluation, an assessment of cognitive skills and abilities, mental status evaluations, and work site analysis, should be pursued as appropriate.
3. Assess the Feasibility of the Business:
 - a. Participants will be referred to outside resources for assistance in examining the concept, market and financial feasibility of the business. Examples of resources may include: The Abilities Fund, the Idaho Small Business Development Centers, Bonner Business Center in Sandpoint, META and Sage Community Resources Program in Boise, and other local/regional microenterprise organizations and community economic development programs. If the business idea is deemed feasible, the information developed at this stage will provide some of the basic data that will be used in completing the Business Plan to be written later.

Testing the feasibility of the business idea should be formalized through a written Feasibility Assessment documenting the following:

- **Concept Feasibility:** Clear description of the business idea; individual's background related to the business concept including education, training, direct experience and transferable skill sets; a summary statement identifying issues of concern regarding the feasibility of the concept; and a recommendation as to whether the business concept is feasible.
- **Market Feasibility:** Geographic description of market area; description of competitors working in or marketing to potential customers in geographic area; definition of target markets including size and scope of each market; zoning issues/requirements for establishing a business at intended location.
- **Financial Feasibility:** Capitalization requirements (start up funding not to exceed 6 months) consistent with the individual's business concept; identification of resources for start up funding and ongoing capitalization. Twelve months of projected sales/expenses may be included, when appropriate.

4. Participant Training and Technical Assistance:

- a. All individuals will be expected to attend training, when available, and participate in technical assistance services related to self-employment and supplemental self-employment. This could include options such as training and technical assistance from: The Abilities Fund, the Idaho Small Business Development Centers, local/regional microenterprise development service providers such as Bonner Business Center in Sandpoint, META, and Sage Community Resources Program in Boise, and other local/regional microenterprise organizations and community economic development programs, consisting of subjects such as exploring entrepreneurship, small business development, business plan development, small business management, accounting for business, and business financing. *Exceptions to the above requirement may be made with supervisory approval in limited circumstances such as:*
 - At the time the individual establishes self-employment or supplemental self-employment as a vocational goal, the individual has completed a positive feasibility assessment, a business plan including the Participant Business Plan Checklist. In this case, the counselor will complete the Counselor Business Plan Checklist and then proceed with actions required for consideration of financial assistance.
- b. Individuals may require business specific skill training to eliminate skill gaps or prepare for the operation of the business. This could include coursework such as accounting/bookkeeping, using computers in business, human resources in business, etc. Skill-building courses should be noted in the IPE as necessary.

5. Business Plan Development:

The Business Plan is viewed as an essential element in any business venture and will be the document used by IDVR, banks, micro lenders and other funding organizations to determine whether or not to participate in capitalizing the business venture.

- a. A comprehensive Business Plan will be required for all participants, regardless of their goal of self-employment or supplemental self-employment, as they request financial assistance for a business venture. The content for a comprehensive Business Plan is defined in the Participant Business Plan Checklist (see Attachment 1). Participants should use the Participant Business Plan Check List as a guide for preparing the business plan to ensure that all the critical areas are addressed.
- b. The individual will prepare the Business Plan with external technical assistance from a service provider experienced in business plan development.
- c. Benefits counseling will be provided with a focus on the projected impact of revenues and expenses as noted in the Business Plan.

6. Explore and Apply for Resources Available From Other Sources:

IDVR participants pursuing self-employment and supplemental self-employment *are required to explore, and when appropriate, apply for funding from sources other than IDVR*. These may include microloans, commercial and consumer loans, loans from family, forgivable loans, equity grants, and work incentives for Social Security recipients including Plans to Achieve Self Support (PASS) and personal property (inventory and equipment) essential to the operation of the business (PESS).

7. Review of Business Plans for Funding Consideration:

The individual's goal toward self sufficiency and the level of the agency's financial participation in the start up capitalization of the business will determine the level of review and approval required.

- a. The counselor will review the plan for completeness according to the Counselor's Business Plan Checklist (Attachment 2);
- b. When the individual's vocational goal is supplemental self-employment (not seeking self sufficiency), the counselor may approve the Business Plan for financial assistance up to \$2,500. Financial participation by the individual is not required. A cap of \$3,500 in IDVR support will be established for supplemental self-employment strategies. The individual must contribute all costs beyond the \$3,500. It is not necessary to assemble a self-employment team for this strategy.

- c. When the individual's vocational goal is self-employment (seeking self sufficiency), and his/her request does not exceed \$2,500, the counselor may approve the Business Plan for financial assistance.
- When the request for financial assistance exceeds \$2,501, Business Plan review and approval by a Self-Employment Team will be required. The Self-Employment team will include the counselor, area supervisor, and at least one outside consultant/business development organization with experience in business development and/or business finance. The Counselor's Business Plan Checklist (Attachment 2) will determine the completeness of the Business Plan.
- d. In cases where feasibility of the plan is in question as it relates to the funding request, IDVR may have the Business Plan reviewed by an outside resource with expertise in small business, micro enterprise development and/or business finance.

Note: The recommendation of the outside resource will contribute to, but not define, the agency's final determination as to business feasibility. When an outside resource is used to contribute to the final determination, final funding approval will rest with the Supervisor and will be dependent on a variety of factors including, but not limited to:

- Total start up costs.
 - Feasibility of the Business Plan in all aspects.
 - Potential for other financial resources, and
 - Availability of agency funds.
- e. Process for Review by Self-Employment Team
- The counselor will review the Business Plan, complete the Counselor's Business Plan Checklist, and notate the IDVR participant's file as appropriate.
 - When warranted, the counselor will coordinate the Self-Employment Team, including determining who will participate as the outside consultant/business development organization. A Participant Release of Information will be obtained from the individual and will be submitted as part of the Business Plan review package.
 - The counselor will distribute the Business Plan review package to the Self-Employment Team and schedule the review.
 - The Self Employment Team will convene and conduct its review within fifteen (15) working days of receiving the Business Plan review package.
 - The Self Employment Team will provide an opportunity for the participant, or a designated representative, to present information about the Business Plan.
 - The panel will review the Business Plan in terms of its feasibility, offer suggestions for improvement if necessary, and make recommendations for approval or disapproval.
 - The review panel will provide a written response with recommendations to the

individual within ten (10) working days of their review.

Individual Plan for Employment

The IPE or IPE Amendment will be developed after the comprehensive assessment is completed and before development of a Business Plan is initiated.

- a. As part of the comprehensive assessment, training and technical assistance, activities will occur such as training workshops and/or seminars focused on self-employment issues, feasibility assessment development, and other exploratory or preparatory activities that contribute to determining business feasibility prior to Business Plan (**Note:** If an IPE is in place at the time self-employment is determined as the vocational goal, an IPE Amendment may be developed).
- b. An IPE/IPE Amendment should be initiated at the point in time that the business feasibility has been established and before technical assistance for Business Plan development is authorized. The IPE/IPE Amendment would include the specific services to be provided for Business Planning.
- c. Upon review of the Business Plan for financial assistance, the IPE should be amended to reflect the approved financial assistance and technical assistance plan for monitoring the business post start up. Benchmarks for case closure will be included in the IPE at this point.

Financial Participation Requirements

For those individuals pursuing self-sufficiency through self-employment, they will be required to participate in the start up capitalization of the business through documented investment of funds from microloans; commercial and consumer loans; loans from family; forgivable loans; equity grants; and equipment critical to the business operation, inventory, and preparation of the business location valued at market rate (sweat equity) including, but not limited to, painting, cleaning, and general business site preparation activities.

- a. In consideration of the business start up capitalization noted in the Business Plan, financial participation by IDVR and participant is as follows:

<u>Business Capitalization</u>	<u>IDVR Financial Assistance</u>	<u>Client Participation</u>
Under \$2,500	100%	0%
\$2,501 to \$5,000	80% of start up capital	20%
\$5,001 to \$7,500	70% of start up capital	30%
\$7,501 to \$10,000	60% of start up capital	40%
\$10,001	50% of start up capital	50%



- b. Financial participation will not be required for IDVR investment in:
- Training and technical assistance
 - Accommodations necessitated by the individual's disability in order to participate in training, technical assistance or in consideration of financial assistance

Limitations and Restrictions

Financial assistance for business start up capitalization does not include:

1. Funding for speculative real estate development.
2. Utility deposits that are refundable to the individual or business.
3. Cash.
4. Salary or benefits for the individual, partners in ownership, or employees of the business that are members of the participant's immediate family.
5. Purchase of real estate.
6. Erection of buildings.
7. Inventory or business supplies that include tobacco, firearms or alcoholic beverages.
8. Refinancing of existing debt – business or personal.
9. Business continuation expenses subsequent to the initial startup costs.

Exceptions

If the counselor determines that there are circumstances in an individual case that warrants consideration for an exception to financial participation policy, a full explanation with justification should be presented to the Supervisor for review and decision.

Case Closure and Follow-up

1. Benchmarks leading to consideration for case closure in self-employment include:
 - a. The business shows signs of stability as reflected in the business' financial records including profitability at a level consistent with the participant's definition



of “Profitability Goal” as noted in the Participant Self Employment Checklist.

- b. The business has been operating for a period of time long enough to adequately assess the stability of the business. A minimum of six months and a maximum of one year are recommended.
 - c. All services agreed to in the IPE have been provided.
 - d. The Individual agrees with the counselor’s recommendation to close the case.
2. Benchmarks leading to consideration for case closure in supplemental self-employment include:
- a. The business shows signs of stability as reflected in the business’ financial records and is contributing to the individual’s income as indicated by goal noted in the IPE.
 - b. The business has been operating for a period of time long enough to adequately assess the stability of the business. A minimum of six months and a maximum of one year are recommended.
 - c. All services agreed to in the IPE have been provided.
 - d. The individual agrees with the counselor’s recommendation to close the case.

Client Checklist for Self Employment

The Client Checklist should accompany a completed business plan and be submitted to the IDVR Counselor for consideration of financial assistance

_____ **Description/dates of training and technical assistance for feasibility & business planning**

_____ **Copy of Feasibility Assessment**

_____ **Completed Business Plan that includes:**

Executive Summary: One to two page review of the business summarizing the most important points of the plan

- Business description
- Business objectives
- Form of organization
- *Product description*
- Summary of business owner's qualifications

Industry/Business Analysis: Analysis of the current status of the industry in which the business operates

- Definition (description of the economic sector that the industry occupies)
- Industry size and growth rate
- Key growth factors
- Analysis of industry in the geographic area where you will operate

Competition Analysis: Review of three to five direct competitors with a comparative analysis to your business

- Image
- Location
- Products & Services
- Pricing
- Advertising methods

Marketing Plan: Detail how business will identify, attract, and retain customers

- Customer profile: Comprehensive description of primary and secondary customer groups including the number of customers in market area
- Description of product attributes and why customers will want to purchase it
- Plan for distributing product (if applicable)
- Promotional schemes for initial 12 months of business
 - ✓ Low cost and no cost advertising
 - ✓ Buying advertising: Media type, frequency, intensity

Management: Description of the management of the organization including position responsibilities, salary/wages

- Management organization chart
- Personnel

Financial Plan: Total business capitalization request with supporting documentation

- Source and use of all funds for business development
 - ✓ Total dollars needed to adequately capitalize business
 - ✓ Identify all resources (banks, microlenders, IDVR, etc) and confirm participation including personal financial participation
 - ✓ Details of how all capital will be used (what it will buy)
 - Specify use of “operating capital”
- Cash flow projection for 24 months
- Income/Expense projection for 2 years
- Projected business balance sheet for 2 years
- Break-even analysis
- Personal financial statement for business owner
- Personal financial statement(s) for all business principals

Supporting Documents: Documents that will strengthen the business plan. For example:

- Survey results
- Letters of commitment from funding sources
- Contracts
- Leases
- Letters of intent
- Sales agreements
- Resumes
- Personnel policies
- Job descriptions
- Credit report

Client Signature

Date



Counselor Checklist for Self Employment

_____ Case Summary Feasibility Statement by the Rehabilitation Counselor: Detail the participant's ability to pursue the proposed plan based on academic and personality assessments (if applicable) and client readiness for considering self employment and should include: evaluation of client's interest, skills, aptitude and personal qualities related to self employment; notation of participation in Exploring Entrepreneurship training or equivalent; examination of client's financial goals related to self employment; review of client's expectations to anticipated financial support from IDVR; assessment of client's disability as it relates to self employment goal.

\$_____ Business Start Up/Expansion Capitalization (total as presented in business plan)

\$_____ Financial Request to IDVR

Self Employment Team Review Needed: _____Yes _____No

_____ **Copy of Feasibility Assessment**

_____ **Completed Business Plan that includes:**

Executive Summary: One to two page review of the business summarizing the most important points of the plan

- Business description
- Business objectives
- Form of organization
- Product description
- Summary of business owner's qualifications

Industry/Business Analysis: Analysis of the current status of the industry in which the business operates

- Definition (description of the economic sector that the industry occupies)
- Industry size and growth rate
- Key growth factors
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- Plan for distributing product (if applicable)
- Promotional schemes for initial 12 months of business
 - ✓ Low cost and no cost advertising
 - ✓ Buying advertising: Media type, frequency, intensity

Management: Description of the management of the organization including position responsibilities, salary/wages

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 - ✓ Details of how all capital will be used (what it will buy)
 - Specify use of “operating capital”
- Cash flow projection for 24 months
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Supporting Documents: Documents that will strengthen the business plan.

For example:

- Survey results
- Letters of commitment from funding sources
- Contracts
- Leases
- Letters of intent
- Sales agreements
- Resumes
- Personnel policies
- Job descriptions
- Credit report

Counselor Signature

Date



12.10 Interpreter Services and Note Taking Services

IDVR can provide interpreter services and note taking services for individuals who are deaf, including tactile interpreting for individuals who are deaf-blind; reader services, rehabilitation teaching services, note-taking services and orientation and mobility services for individuals who are blind; telecommunications, sensory and other technological aids and devices.

Note: *If the participant is enrolled in an academic/technical training program at an institution that receives federal financial support, the institution will be responsible for the provision of interpreter services within the classroom or formal training environment i.e., outside the classroom, but mandated or supported by the class curriculum. (A regional exception has been made at the Eastern Idaho Vocational Technical School based upon office space that is being provided to IDVR staff at that institution).*

12.11 Occupational Licenses, Tools, Equipment Initial Stocks and Supplies necessary in order to enter an Occupation

Based upon the participant's financial status, occupational licenses, tools and equipment, initial stocks and supplies may be purchased in order to adequately prepare the individual for a vocational outcome. *Private pilot's license will not be secured through the financial support of IDVR.*

IDVR will not purchase land or buildings for individuals with disabilities. IDVR retains the right to reclaim occupational tools and equipment purchased by the IDVR when the individual's IPE is not completed and/or the case is closed other than rehabilitated.

12.12 Supported Employment Services.

Supported employment services may be provided to individuals with the most severe disabilities who require job site training and a variety of on going support services.

12.12.1 Supported employment is defined as follows:

- A. Competitive work (defined as payment of an hourly rate not less than minimum wage) in an integrated work setting (defined as an environment in which the individual engages in as much contact with co-workers or the non-disabled general public as any other non-disabled person working in that job would experience) with ongoing support services for individuals with the most severe disabilities for whom competitive employment:

- 1. Has not traditionally occurred; or

2. Has been interrupted or intermittent as a result of severe disability; and
3. Who, because of the nature and severity of their disability(ies), need intensive supported employment services or extended services in order to be gainfully employed; or

B. Transitional employment for individuals with chronic mental illness.

12.12.2 Supported Employment Services:

- A. The specific supported employment services to be provided must be included as an objective of the IPE. A Gemini 20 (Referral for Extended Employment Services) must be sent to the appropriate IDVR Extended Employment Services Specialist (EESS), located either in Boise (208-287-6458) or Moscow, Idaho (208-883-8410).
- B. At a minimum, contact must be maintained between the service provider and participant twice per month, during the delivery of supported employment services. This contact may be at or away from the participant's place of work.
- C. Extended services may include the use of natural supports (family, friends, significant others, supervisors, co-workers) as needed.
- D. The source of extended services, or statement that a reasonable expectation exists that extended services will be available following the completion of IDVR supported services, is to be included on the IPE. If the source of funding is the Extended Employment Services' (EES) budget, the vocational counselor should procure a "Client Update Form" from the EESS stating that EES services have been authorized. The "Client Update Form" is generated by the CRP, sent to the EESS who will determine whether to authorize the service. A decision will be made and a hard copy submitted to the CRP and VR counselor for inclusion in the file.
- E. Supported employment is provided by IDVR for a period of time not to exceed 18 months, unless under special circumstances the participant and VR counselor agree to extend the time in order to achieve the rehabilitation objectives included on the IPE.
- F. Supported Employment services are intended to be short-term in duration with transition to an extended service (traditionally called "Long Term Support") that assists the participant to maintain employment.

12.12.3 Examples of Long Term Support Services in Idaho

Long term support services must be provided through an ongoing support plan using another agency, service provider or natural supports and developed in conjunction with or prior to closure.



Employment for the purpose of Supported Employment must include:

- A. Integrated work to mean job sites where there is daily contact in the immediate work setting with other employees and/or the general public who are not disabled (or as much contact as any other employee in that same position would have with other employees and/or the general public who are not disabled - e.g., a night janitor, with or without disabilities, might not have much contact with anyone).

Supported Employment requires that no more than eight individuals with disabilities be clustered in an employment setting (enclave).

- B. Transitional employment services for persons with chronic mental illness means a series of temporary job placements in competitive work in an integrated work setting with on-going support services for individuals with chronic mental illness.
- C. Work that results in competitive earnings (no less than the prevailing state minimum wage).

Potential sources of extended services may include, but are not limited to the following:

Natural Supports:

Support from supervisors and co-workers occurring in the workplace to assist employees with disabilities to perform their jobs, including supports already provided by an employer for all employees. These natural supports may be both formal and/or informal, and include mentoring, supervision (ongoing feedback on job performance), training (learning a new job skill with a co-worker), and co-workers socializing with employees with disabilities at breaks or after work. Support provided by family, friends or significant others is also included within this definition.

Extended Employment Services: (IDAPA 47.01.02) Funds Managed by IDVR/EES. There are four eligibility categories:

- A. Developmental Disabilities: Eligibility determined by a Medicaid contracted Independent Assessment Provider (IAP) or EESS using the definition provided in section 66-402, Idaho Code.

Initial job placement and stabilization, and training are provided through IDVR Supported Employment (CSE) funds. The CRP provides the actual extended (long-term support) services funded by EES.

NOTE: EES funds cover sheltered employment in addition to long-term maintenance for Community Supported Employment.

- B. Mental Health: (Typically Schizophrenia, Major Mood Disorders, Borderline



Personality Disorder, Delusional Disorder, Schizoaffective Disorder).

Initial job placement and stabilization, and training are provided through IDVR Community Supported Employment funds and the CRP provides extended services.

- C. Specific Learning Disability – determined by EESS based on DSM:IVR and school records.

Initial job placement and stabilization, and training are provided through IDVR Community Supported Employment funds and the CRP provides extended services funded by EES.

- D. Traumatic Brain Injury – determined by EESS using medical records provided by the vocational counselor. (Typically a traumatic incident rather than the result of a disease process).

Initial job placement and stabilization, and training are provided through IDVR Community Supported Employment funds and the CRP provides extended services funded by EES.

Medicaid:

- A. Developmental Disabilities – Adult DD or Idaho State School and Hospital (ISSH) Home and Community Based Services Medicaid Waiver (IDAPA 16.03.10.703.03). Eligibility for these waivers is determined by the Independent Assessment Providers (IAP) at the Idaho Center on Disability Evaluation.
- B. Mental Health – The category of services Medicaid may be billed for are:
- a. Pre-vocational skills.
 - b. Vocational skills training.
 - c. Case management services.

NOTE: EES lacks the information to confirm or deny these types of Medicaid funded services for individuals with mental health eligibility. There is a mental health waiver but it does not cover vocational services. Under the mental health waiver (IDAPA 16.03.10.125.03) “employment “is listed as an excluded service and is defined as “job specific interventions, job training, and job placement services, which includes helping the participant develop a resume, apply for a job, utilize job training or coaching” (07.01.06T).

12.12.4 Diagnostic and post employment services for all participants (including supported employment) are paid for using general program (Title 1) funds.

12.13 Post-Employment Services (PES)

An individual with a disability who had been previously rehabilitated may require additional services in order to maintain, advance in, or regain suitable employment. Post-employment services require an amendment to the IPE (in Gemini under “Pages” there is a separate section dedicated to “post-employment services”). *In order to qualify for these services, the participant’s vocational needs must be minor in scope and duration. This means the individual only needs relatively short-term services with minimal cost associated.* Individuals requiring multiple services over an extended period of time and/or a comprehensive/complex rehabilitation plan should be encouraged to reapply for the full-spectrum of VR services since their needs exceed the intent of post-employment services. Services can be provided at any time during the period in which a case record is maintained by the agency (5 years). Once the record is destroyed, a new case must be opened. It is important to remember that the intent of PES is to ensure that the employment outcome remains consistent with the individual’s strengths, resources, priorities, concerns, abilities, capabilities, interests and informed choice.

12.14 Rehabilitation Technology Services

Rehabilitation technology services (assistive/adaptive technology) may be provided as compensatory strategies to increase, maintain, or improve functional capabilities of individuals with disabilities. Rehabilitation technology services may be provided at any time in the rehabilitation process, including the assessment for determining eligibility and vocational rehabilitation needs, extended evaluation, services provided under an IPE, and post employment services. Rehabilitation technology, including telecommunications, sensory, and other technological aids and devices are exempt from a determination of the availability of comparable services and benefits. *If, however, comparable services or benefits exist under any other program and are available to the individual, IDVR must use those resources to meet in whole or part, the costs of the vocational rehabilitation services.* (For further information, please review the series of comprehensive fact sheets provided by Idaho Assistive Technology Project located on the IDVR intranet web site. There are also direct links to the Idaho Assistive Technology Project web site at that location)

12.14.1 “Assistive technology service” means any service that directly assists an individual with a disability in the selection, acquisition, or use of an assistive technology device, including

- A. The evaluation of the needs of an individual;
- B. Purchasing, leasing, or otherwise providing for the acquisition by an individual with a disability of an assistive technology device;
- C. Selecting, designing, fitting, customizing, adapting, applying, maintaining, repairing, or replacing assistive technology devices;
- D. Coordinating and using other therapies, interventions, or services with

assistive technology devices, such as those associated with existing education and rehabilitation plans and programs;

E. Training or technical assistance for an individual with a disability.

12.14.2 An assistive technology device means any item, piece of equipment, or product system, whether acquired commercially off-the-shelf, modified, or customized that is used to increase, maintain, or improve the functional capabilities of an individual with a disability.

12.14.3 Vehicle modifications may be provided as an assistive technology device only when the applicant/individual is otherwise precluded from achieving a vocational objective.

1. In the event that a van requires modification. e.g., hand controls, lift installation, or structural revision, the cost of the modification cannot exceed the current N.A.D.A. Blue Book value of the vehicle. The participant must agree to maintain insurance on the vehicle for replacement costs of the modified equipment.
2. Any vehicle modification over \$3000 must include a minimum of two bids from approved vendors.
3. Recipients of a vehicular modification service must be regarded as *potentially job ready and capable of working on a competitive basis*. This will require a careful assessment by the VR counselor to ensure that the participant fully understands that vehicular modifications are tied directly to the capacity and willingness to complete a plan for employment and actively cooperate in acquiring competitive employment.
4. The participant must understand that a personal financial responsibility exists for the maintenance and replacement of the vehicle, as well as its future modification needs and adaptive equipment following case closure. This should always be stipulated within the IPE that outlines the vehicular modification.
5. Adaptive equipment items that are not documented as medically and/or vocationally necessary will be the responsibility of the individual.
6. In the event that a participant, through necessity, disposes a modified vehicle and subsequently requests IDVR assistance in funding modifications for a replacement vehicle, the individual must contribute the residual value of the disposed modifications toward the cost of the replacement modification. The VR counselor must ensure that a list of previously purchased equipment is appraised by a qualified vendor for residual value.
7. If a participant, when purchasing a new vehicle, is offered a cash reimbursement by a manufacturer to help cover the cost of modifications, the

reimbursement will be used to reduce IDVR's cost for modifications. The rebate will be applied against the cost of the modifications regardless of obligations imposed by a Financial Needs Assessment. Such rebates are occasionally offered to individuals with disabilities and should be explored as a comparable benefit by the VR counselor and participant..

12.14.4 Housing modifications may be provided as a supportive service so the individual can benefit from a core vocational rehabilitation service provided under an IPE.

12.15 Supportive Services

- A. Maintenance is a funding provision designed to offset *identified additional costs incurred as a result of participating in a rehabilitation service* (expenses incurred by the individual while engaged in assessments required for determining eligibility or while receiving services under an IPE).

NOTE: Maintenance means monetary support provided to an individual for expenses, such as food, shelter, and clothing, that are in excess of the normal expenses of the individual and that are necessitated by the individual's participation in an assessment for determining eligibility and vocational rehabilitation needs or the individual's receipt of vocational rehabilitation services under an individualized plan for employment. (Ref: 34 CFR Part 361.5 (35).)

Counselors cannot pay maintenance for those existing living costs that an individual would normally incur regardless of the individual's participation in a plan of vocational rehabilitation services.

Maximum: \$1,500 total per federal fiscal year. No single monthly amount to exceed \$500. No limit on number of months up to the \$1,500 maximum.

These maximums also apply to Rent and Room & Board for post secondary education.

If the participant receives SSI or SSDI, VR cannot provide maintenance for basic living expenses.

- B. Transportation – is a reimbursement for identified travel and related expenses that are necessary to enable individuals to participate in a vocational rehabilitation service.

Participants and their families are expected to participate in the cost of their transportation expenses since in most cases vehicles are not used exclusively for rehabilitation activities.



1. Actual costs may be paid for taxi, buses, airplanes, etc.
 2. When using a privately owned vehicle, fuel assistance will be negotiated at IPE development. This depends upon actual transportation expenses for participation in rehabilitation services. Routine vehicle maintenance is not covered by IDVR.
 3. The VR counselor must take into account the following issues when confronted with a request from a participant to repair or modify a privately owned vehicle:
 - a. The overall condition and value of vehicle.
 - b. The extent of the repairs or modifications needed.
 - c. The availability of other appropriate transportation.
 - d. The necessity that the vehicle be used for work or training.
- C. Auto Insurance – A one-time authorization may be issued to purchase three months state required liability insurance. Insurance purposes must be directly related to the individual's attending work.

12.16 School Transition

The Idaho Division of Vocational Rehabilitation (IDVR) participates in student transition planning as outlined at 34 CFR 361.22 of the Rehabilitation Act Regulations. The Regulations require plans, policies, and procedures that provide for the development and approval on an individualized plan for employment as early as possible during the transition planning process but, at the latest, by the time each student who is determined to be eligible for vocational rehabilitation services leaves the school setting. The Act also provides for:

1. Consultation and technical assistance to educational agencies in planning for the transition of students with disabilities from school to post-school activities, including vocational rehabilitation
2. Transition planning by personnel of IDVR and the educational agency for students with disabilities that facilitates the development and completion of their Individualized Education Programs (IEP's) under section 604 (d) of the Individuals with Disabilities Education Act (IDEA);
3. The roles and responsibilities including financial responsibilities, of each agency; and
4. Procedures for outreach to and identification of students with disabilities who are in need of transition services. Outreach to these students should occur as early as possible during the transition planning process and must include, at a minimum, a description of the purpose of the vocational rehabilitation programs, eligibility requirements; application procedures, and scope of services that may be provided to eligible individuals.

Both the Amendments of the Rehabilitation Act and the Individuals with Disabilities Education Act (IDEA) define transition services as a coordinated set of activities for a



student designed within an oriented process that promotes movement from school to post-school activities including post-secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, and independent living or community participation. The coordinated set of activities shall be based upon the individual student's needs, taking into account the student's preferences and interests, and shall include instruction, community experiences, the development of employment and other post-school adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation.

- Both the 1992 Amendments of the Rehabilitation Act and the Individuals with Disabilities Education Act (IDEA) define transition services as a coordinated set of activities for a student designed within an outcome oriented process that promotes movement from school to post-school activities including post secondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, and independent living or community participation. The coordinated set of activities shall be based upon the individual student's needs, taking into account the student's preferences and interests, and shall include instruction, community experiences, the development of employment and other post school adult living objectives, and when appropriate, acquisition of daily living skills and functional vocational evaluation.
- Referrals should be made to the VRC no later than two years before the student exits high school. Earlier referrals can be made based on individual student need. All students with disabilities should be referred, not just those students in special education.
- The attendance of the VRC at the development of Individual Educational Plans (IEPs), Individual Transition Plans (ITPs) and Child Study Teams (CSTs) is at the invitation of the school and agreement between the VRC and CST members. VRC will determine the appropriate time to take application when the focus is on the final vocational objective or formal planning for continued employment preparation after the student exits from high school.
- The school's responsibility is to provide a free and appropriate education to all students. This includes instructional aids, devices, and necessary services to achieve educational goals.
- IDVR's responsibility is to facilitate the accomplishment of long-term vocational rehabilitation goals and intermediate rehabilitation objectives identified in the student's IPE. Only services that are required for achievement of the employment goal will be provided or coordinated.
- There is a statewide interagency agreement among the Idaho Department of Education, the Idaho Division of Vocational Education and the Idaho Division of Vocational Rehabilitation. There are also regional cooperative agreements

between IDVR and specific school districts. For additional information, please refer to those cooperative agreements.

12.17 Services to Family Members

The definition of “Family Member” includes any relative by blood, marriage, or adoption of the eligible participant as well as other individuals living in the same household with whom the participant has a close interpersonal relationship.

Conditions and Criteria:

- A. Services may be provided only to individuals that meet the definition of family member.
- B. The services to be provided are those which are deemed to be necessary to the successful completion of the participant’s rehabilitation plan (IPE, Extended Evaluation, or Trial Work Period). The participant and VR counselor will make the determination as to whether a service to a family member is necessary to the vocational rehabilitation of the individual participant.
- C. Comparable services and benefits are to be explored and if available, utilized prior to expenditure of agency funds.
- D. IDVR funds can only be utilized if economic need is established on the Financial Needs Form (FNA).
- E. Family members may not have access to the participant’s record of service without a release of information. Family members may have access to information pertaining to the services they received.

Procedures:

- A. The IPE must set forth the services to be provided to the family member.
- B. In developing the IPE the VR counselor must ensure that the participant and family member(s) understand the basis for the provision of services in order to avoid any misunderstanding as to the scope, nature and duration of services.
- C. Services to family members must be terminated whenever one of the following conditions prevails:
 - 1. When a service(s) is no longer necessary to the individual’s plan; or
 - 2. When the participant’s plan is terminated in accordance with case closure procedures; or
 - 3. When Post-Employment Services are terminated.

- D. When services are provided to family members, the record of service must include:
1. A rationale that the services are required to support the participant's success in completing objectives of the IPE;
 2. Data, including medical information, to support the decision to provide services;
 3. That services are provided in an integrated environment;
 4. Identification of family member(s) receiving those services;
 5. The cost of such services;
 6. And documentation of the time limited nature of these services.

12.18 Personal Care Attendant Services

A personal care assistant (PCA) assists an individual with a significant disability by performing personal activities of daily living requiring hands-on help, which cannot be performed by the individual because of the significance of the disability. PCA services include personal care related tasks such as:

1. eating
2. drinking
3. toileting
4. bathing
5. transfers
6. dressing
7. grooming
8. medications

PCA services do not include chore services, respite, cueing, or household tasks. In most cases, tasks performed by the PCA are participant directed. The PCA is not responsible for any tasks that the individual with a disability can perform independently.

PCA services have been developed to enhance the ability of an individual with a significant disability to live and work independently. The need for PCA services is normally identified through an independent living (IL) evaluation and services are, in most cases, provided to an individual with a significant disability, prior to application for IDVR services.

A PCA must have completed a state approved training program or have substantial knowledge and experience in providing PCA services.

It is the policy of the IDVR to provide PCA services to individuals with significant disabilities, when PCA services over and above those required for normal daily living are required to assist the participant to complete the VR process. IDVR does not provide PCA services in lieu of existing PCA programs and providers. If the VR counselor determines that PCA services are necessary for the participant to complete the objectives of the IPE, the VR counselor will need to conduct or obtain a personal



care assistant evaluation to determine the number of hours of PCA services that are required for participation in the IPE over and above the participant's normal daily living needs.

It is the responsibility of the participant and the VR counselor to identify, apply for and utilize any and all similar benefits for PCA services. PCA recruitment and management is the responsibility of the participant. Payment for PCA services is made through an authorization to the participant for PCA services. The participant then pays the chosen provider. The hourly rate for PCA services funded by IDVR will not exceed the current rate established by Medicaid. The PCA is paid by the task. All other time is standby per regulation. The participant is required to submit verification of services received from the provider to IDVR on a monthly basis to continue to receive PCA funds.

IDVR PCA services are time limited in nature and are provided during the vocational rehabilitation process if required to assist in determining eligibility, for participation in vocational evaluation and assessment, and during implementation of an IPE with a goal leading to competitive employment. The provision of PCA services must be linked directly to the objective of the IPE. PCA services funded by IDVR must be for those tasks over and above PCA services normally required for tasks of daily living. No more than 40 hours per week will be authorized for PCA services.

When the IPE objectives have been successfully completed and the goal of competitive employment has been achieved, provision of PCA services required to maintain employment becomes the responsibility of the participant.

12.19 Reserve Fund

Fiscal will hold \$100,000 for each Federal Fiscal year at Central Office for participant plans, i.e. van conversion, or prosthetic/orthotic devices. When a Regional Manager receives a request for one of the above items in excess of \$10,000, the Regional Manager shall contact the Chief of Field Services and submit a faxed copy of the lowest bid for the requested services.

Best practice mandates a minimum of 3 bids be procured when available within a reasonable proximity.

Upon approval, the requested amount will be allotted to that Regional Office by the Manager of Fiscal Operations. For further information or clarification, please contact the Chief of Field Services.



SECTION 13.0 CLOSURE

The VR counselor shall close an individual's record of services at any time in the vocational rehabilitation process when it is determined that the individual is no longer eligible, is unavailable for diagnostic or planned services, chooses not to participate, or is rehabilitated. The authorized "Reasons" for closure are stipulated in the drop down box in the "Closure" module of Gemini under "Outcome".

13.1 Ineligibility Based Upon Disability Issues

13.1.1 A person will be determined ineligible when it is determined that s/he has no disability, or no substantial impediment to employment or the individual does not require vocational rehabilitation services to achieve an employment outcome.

This decision requires:

- A. That Idaho Division of Vocational Rehabilitation (IDVR) provides an opportunity for the individual or his/her representative to receive full consultation regarding the closure decision.
- B. A written notification of ineligibility closure determination, or other appropriate mode of communication, explaining in clear and concise language the reason(s) for the ineligibility determination.
- C. A written notification of appeal rights, including the name and address of the person with whom an appeal may be filed, and the availability of the Client Advocacy Program (CAP).
- D. Referral to another agency(ies), including One-Stop service delivery systems and community rehabilitation programs when appropriate

13.1.2 It must be documented that there is clear and convincing evidence after a Trial Work Experience or an Extended Evaluation following a period of service provision under an IPE that the individual with a disability is incapable of benefiting (too severe) from IDVR services in terms of achieving an employment outcome.

This decision requires:

- A. An opportunity for the individual or designated representative to receive full consultation at closure.
- B. A written notification of ineligibility closure decision, or other appropriate mode of communication, explaining in clear and concise language the reason(s) for the determination.
- C. A written notification of appeal rights, including the name and address of the



person with whom an appeal may be filed, and of the availability of the CAP.

- D. An annual review of the ineligibility determination following the closure of the record will be conducted within 12 months and annually thereafter, if requested. The individual with a disability, or, if appropriate, the individual's representative, shall have input into the review and reevaluation, and through signed acknowledgement attest that the review and reevaluation have been conducted.
- E. A review is not required in situations where the individual refuses services; the individual is no longer present in the State; the individual's whereabouts are unknown or the individual's medical condition is rapidly progressive
- F. Referral to another agency(ies), including One-Stop service delivery systems and community rehabilitation programs when appropriate

13.2 Ineligibility Based Upon Other Reasons

13.2.1 The VR counselor may close a case record when an individual is unavailable for an extended period of time. The VR counselor must make a concerted effort to contact the individual, or when appropriate, a designated representative to encourage the participation of the individual in IDVR services.

This decision requires:

- A. A rationale for closure documented in the case record and documentation of efforts to contact individual or designated representative.
- B. A written notification to the individual, if whereabouts are known.

13.2.2 The VR counselor may determine that an individual receiving services under an IPE is no longer eligible for services. The VR counselor must:

- A. Make the determination only after providing an opportunity for full consultation with the individual or a representative.
- B. Inform the individual in writing of the ineligibility determination including the reasons for that determination. The individual will also be given a statement of his/her rights and remedies available at closure. (Gemini 3)
- C. Complete the closure check list (Gemini 19), which includes the referral of the individual to other appropriate programs.

13.3 Closure of Individuals who have achieved an employment outcome

In order to determine that an individual has achieved an employment outcome, the case record must document:

- A. That services provided under the IPE contributed to the achievement of the employment outcome
- B. That the employment outcome is consistent with the individual's strengths, resources, priorities, concerns, abilities, capabilities, interests, and informed choice
- C. That the employment is in the most integrated setting possible, consistent with the individual's informed choice and if competitive employment, that the individual is compensated at or above the minimum wage and his/her wages and benefits are not less than that customarily paid by the employer for same or similar work performed by non-disabled individual.
- D. That the employment outcome has been maintained for a minimum of 90 days.
- E. The individual and the VR counselor consider the employment outcome to be satisfactory and agree that the individual is performing well on the job. Whenever possible, confirm that the employer is satisfied with the work performance of the individual as well as IDVR services.
- F. That an assessment occurred regarding whether a need exists for Post-Employment Services and that the individual was informed regarding the purpose and availability of post-employment services, should the need arise; and
- G. That the individual was provided a written notification of closure outlining rights at closure.

13.3.1 Closure of Individuals in Supported Employment

Individuals in supported employment are determined rehabilitated when the objectives of the IPE for supported employment training are achieved and a plan for extended support services is verified through the activation of services related to the long-term source of support.

SECTION 14.0 PURE STATE KIDNEY – (PSK)

14.1 History of Pure State Kidney (PSK) Program

In 1970, the Idaho Legislature established a program for lifesaving care and treatment for persons with chronic renal diseases who are unable to pay for medical treatment on a continuing basis. There are no age restrictions. IDVR administers this program.

Idaho Code, Chapter 23, Vocational Rehabilitation 33-2307 to 33-2308.

- 33-2307. Care of persons suffering from renal diseases – Legislative intent. – It is the intent of the legislature of Idaho to insure the establishment of a program for the care and treatment of persons suffering from chronic renal diseases. This program shall assist persons suffering from chronic renal diseases who require lifesaving care and treatment for such renal disease, but who are unable to pay for such services on a continuing basis. [1970, ch. 72, sec. 1, p. 186]
- 33-2308. Establishment of vocational rehabilitation program to provide treatment to persons suffering from chronic renal diseases. – The Board for Professional Technical Education shall establish a vocational rehabilitation program to provide treatment to persons suffering from chronic renal diseases, including dialysis and other medical procedures and techniques, which will have a lifesaving effect in the care and treatment of persons suffering from these diseases. The board shall extend financial assistance to persons suffering from chronic renal diseases in obtaining the medical, nursing, pharmaceutical, and technical services necessary to care for such diseases, including the rental or purchase of home dialysis equipment and supplies. The board shall establish standards for determining eligibility for care and treatment under this program in order that treatment shall be provided to those who are financially unable to obtain such treatment without causing severe economic imbalance in the family economic unit. Such standards shall be established without reference to maximum or minimum income levels. [1970, ch 72, sec 2, p.186.]

14.2 To be eligible for PSK Services, the participant must:

1. Have a diagnosis of chronic end stage renal disease (ESRD) by M.D.
2. Meet residence requirements:
 - must live within the state for 12 consecutive months, or
 - must maintain permanent residency in the state of Idaho, although may be temporarily absent, or
 - applicant or a spouse, parent or guardian must show proof of employment or offer of employment in Idaho prior to moving to the State.

3. Demonstrate financial need (Gemini 12 – FNA must be taken on all PSK clients including those on SSDI).
4. Demonstrate no vocational potential or be currently employed but is unable to afford kidney related expenses on a continuing basis.
5. Have applied for and be receiving Medicare.

Use of IDVR Medical Consultant (if needed).

- To clarify diagnosis to insure that it is chronic ESRD.
- To establish functional limitations that preclude vocational potential.
- To insure that proposed medical treatment is related to chronic ESRD.
- To insure that prescribed medications are related to chronic ESRD.

14.3 Comparable Benefits

Comparable benefit search must be documented in file: what benefits participant is eligible for and receiving.

1. VR requires all PSK participants to apply for and be receiving Medicare. Medicare, a federal health insurance program, provides benefits for people with ESRD.
2. All participants must apply for all Health and Welfare benefits, including Medicaid, Qualified Medical Benefits (QMB), and Specified Low Income Medical Beneficiary (SLMB). Verification of denial required if not eligible for Medicaid.
3. Participants must apply for Veteran's benefits, if applicable.
4. Participants must apply for Indian Health Service for Native American participants, if applicable.
5. The VR representative and participant should investigate Medicare Part D and private insurance as a comparable benefit. IDVR may pay insurance premiums if this is more cost-effective than paying for individual medical services. VR may pay up to the full amount for insurance premiums.
6. The VR representative and participant should explore and review all information available on comparable benefits and cost-saving programs.

14.4 Service Delivery

1. Eligibility and plan development need to be accomplished as quickly as possible.
2. Once eligibility has been established, PSK services can be back-dated to the date of application. However, generally prior authorization for services is expected.

Remember, to be eligible for PSK, participant must have applied for and be on Medicare.

3. The VR representative needs to establish a good working relationship with medical professionals and social workers. IDVR encourages the most cost-effective dialysis option suitable to the participant's medical needs.
4. IDVR will only pay for services that are related to or caused by chronic ESRD.
5. IDVR will only pay for medications that are related to chronic ESRD.
6. Case file must contain justification of eligibility for PSK program and written plan for services (Gemini 34) including comparable benefit search.
7. Yearly update and review of plan and financial need is required.

14.5 PSK Services

IDVR pays "usual and customary" charges to vendors for PSK services for participants except for the following list.

1. Dialysis and supplies – either in-center, during hospital stay, or in-home.

Maximum: \$350 per month.

(If the participant were hospitalized, dialysis cost would be covered entirely by Medicare after deductible is met. VR may pay total Medicare deductible.)

2. Medications related to ESRD.

Maximum: \$400 per month.

3. Hospitalization (not dialysis, but ESRD related)

VR may pay total Medicare deductible.



4. Nephrologist or primary ESRD physician monthly follow-along visits for in-center or home dialysis.

Maximum: \$40 per month.

5. Surgeon's fee for shunt revision.

Maximum: \$100 per shunt revision.

6. Medigap and/or Medicare Part D (supplemental) insurance premiums, if cost effective.

VR may pay full amount.

7. Transportation

Maximum: \$200 per month or actual cost of public conveyance (bus or van).
VR does not pay transportation if participant is eligible for Medicaid.

VR does not pay for the following:

1. Ensure or any other dietary related products.
2. Herbs.
3. Prosthetics/orthotics.
4. Medicare premiums.
5. Family members as dialysis technicians.
6. For Medicaid recipients, all dialysis, medication and transportation costs are paid by Medicaid (don't open VR PSK case).
7. If Epogen is medically necessary, participant needs to dialyze in hospital, as Medicare will pay.
8. Medications for non-ESRD related conditions.
9. Any doctor fees other than nephrologist and surgeon for shunt revision and the monthly follow-along visits.
10. Hospital charges for shunt revision.

Transplant Costs

1. VR will **not** provide any services for participant to get on the transplant list.
2. If participant is on the transplant list, VR may pay for services that the nephrologist or primary ESRD physician recommend for the transplant:

(eg. dental work, visual exam and x-rays)

Most of this is covered on the pre-transplant list, which VR does not pay for.

3. For the transplant and immediate aftercare, VR may pay for:
 - Transportation
 - Per diem
 - Lodging (usually hospice)
 - Family member to accompany participant. Costs will be negotiated with the participant in the best interest of the agency.
4. Post Transplant:
 - VR may pay transportation costs up to 12 months for medical follow up visits.
 - VR may pay for Medication (other than anti-rejection).

Maximum: \$400 per month

- Physician follow-up is covered under original cost of transplant.
- VR does not pay for anti-rejection medications since Medicare pays for them for three years after transplant, then participant can apply to pharmaceutical indigent drug programs.

14.6 General Guidelines

If a participant has:

1. Full coverage Medicaid – don't open PSK file.
2. Only Medicare – VR may pay up to the \$350 maximum for dialysis/hospitalizations. VR may pay all monthly ESRD related follow-up doctor visits up to \$40/month maximum.
3. Medicare and insurance supplement – VR may pay the deductibles for both for the year. VR won't pay Medicare premiums, but may pay full premium for insurance supplement (Medigap and/or Medicare Part D).

If participant is in the hospital for a kidney related problem (not dialysis but ESRD related), IDVR may pay the Medicare deductible. Medicare will cover the dialysis cost while in the hospital after the deductible is paid.

4. Medicare and VA – VR may pay 20% up to \$350 maximum plus Part A deductible of \$792 for hospital; Part B \$100 deductible; and meds up to maximum \$400/month.
5. Medicare and QMB – VR may pay medications up to \$400/month maximum.

Program Referral

Referrals can be made between the PSK and general VR programs.

- If PSK participant shows vocational potential, at any time, participant should be referred to the general Vocational Rehabilitation program.
- In Gemini, we have two case types, VR and PSK, consequently, a participant can have an open VR case and an open PSK case at the same time (while you are waiting for bills or Explanation of Benefits/EOBs).
- Participant may be referred from the general Vocational Rehabilitation program to the PSK program if participant has been rehabilitated but is unable to pay for kidney related medical treatment on a continuing basis or ceases to show vocational potential.

Types of Dialysis

There are three types of dialysis available to persons with end stage renal disease (ESRD).

1. Hemodialysis – Blood is pumped outside the body to an artificial kidney machine. The machine cleanses the blood and returns it to the body. Only a small amount of blood is out of the body at any time.

A fistula (the surgical linking of an artery to a vein) provides access to blood vessels. So does a graft (tubing surgically placed under the skin, linking an artery to a vein).

Hemodialysis can be done in-home or in-center.

2. Continuous Ambulatory Peritoneal Dialysis (CAPD) – Allows gravity to draw dialysis solution into and out of the peritoneal cavity, using a system of tubing and bags.



With CAPD, tubing and a bag of sterile dialysis solution is connected to the peritoneal catheter. By raising the bag to shoulder level or higher, the solution flows into the peritoneum. When empty the tubing and solution bag are simply removed and thrown away.

During daily activities, the peritoneal membrane acts as a filter for the blood. Waste products and excess water transfer to the dialysis solution. After a few hours, new tubing and an empty bag are attached to the catheter. Then, the bag is lowered to drain the waste-filled fluid from the peritoneum.

3. Continuous Cycling Peritoneal Dialysis (CCPD) – This form of dialysis occurs inside the body. It uses the peritoneal membrane (the lining of the abdomen) as the filter. For this treatment, a tube called a catheter is surgically placed through the wall of the abdomen.

Special dialysis solution flows into the peritoneum through the catheter. Waste products and excess fluids pass from the blood, through the peritoneal membrane, into the dialysis solution. Then, they are drained from the peritoneal cavity. Peritoneal dialysis can be performed by hand or by using a machine. Tubing and bags are worn only during the solution exchanges.

Exceptions

Discuss any special circumstances with Zone Manager assigned to PSK.